

| | |
|---------|----------|
| Adopted | Rejected |
|---------|----------|

COMMITTEE REPORT

| | |
|------|----|
| YES: | 17 |
| NO: | 11 |

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred HB 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

Delete the title and insert the following:

A BILL FOR AN ACT TO AMEND THE INDIANA CODE concerning state and local administration and to make an appropriation.

Delete everything after the enacting clause and insert the following:

1 SECTION 1. [EFFECTIVE JULY 1, 2003]

2
3 (a) The following definitions apply throughout this act:

4 (1) "Augmentation allowed" means the governor and the budget agency are
5 authorized to add to an appropriation in this act from revenues accruing to the
6 fund from which the appropriation was made.

7 (2) "Biennium" means the period beginning July 1, 2003, and ending June 30, 2005.
8 Appropriations appearing in the biennial column for construction or other permanent
9 improvements may be allotted as provided in IC 4-13-2-19.

10 (3) "Deficiency appropriation" or "special claim" means an appropriation available
11 during the 2002-2003 fiscal year.

12 (4) "Equipment" includes machinery, implements, tools, furniture,
13 furnishings, vehicles, and other articles that have a calculable period of service
14 that exceeds twelve (12) calendar months.

15 (5) "Fee replacement" includes repayment on indebtedness resulting from financing
16 the cost of planning, purchasing, rehabilitation, construction, repair, leasing,
17 lease-purchasing, or otherwise acquiring land, buildings, facilities, and equipment
18 to be used for academic and instructional purposes.

19 (6) "Other operating expense" includes payments for "services other than personal",
20 services by contract", "supplies, materials, and parts", "grants, subsidies, refunds,
21 and awards", "in-state travel", "out-of-state travel", and "equipment".

- (7) "Pension fund contributions" means the state of Indiana's contributions to a specific retirement fund.
- (8) "Personal services" includes payments for salaries and wages to officers and employees of the state (either regular or temporary), payments for compensation awards, and the employer's share of Social Security, health insurance, life insurance, disability and retirement fund contributions.
- (9) "SSBG" means the Social Services Block Grant. This was formerly referred to as "Title XX".
- (10) "State agency" means:
 - (A) each office, officer, board, commission, department, division, bureau, committee, fund, agency, authority, council, or other instrumentality of the state;
 - (B) each hospital, penal institution, and other institutional enterprise of the state;
 - (C) the judicial department of the state; and
 - (D) the legislative department of the state.
 However, this term does not include cities, towns, townships, school cities, school townships, school districts, other municipal corporations or political subdivisions of the state, or universities and colleges supported in whole or in part by state funds.
- (11) "Total operating expense" includes payments for both "personal services" and "other operating expense".
- (b) The state board of finance may authorize advances to boards or persons having control of the funds of any institution or department of the state of a sum of money out of any appropriation available at such time for the purpose of establishing working capital to provide for payment of expenses in the case of emergency when immediate payment is necessary or expedient. Advance payments shall be made by warrant by the auditor of state, and properly itemized and receipted bills or invoices shall be filed by the board or persons receiving the advance payments.
- (c) All money appropriated by this act shall be considered either a direct appropriation or an appropriation from a rotary or revolving fund.
 - (1) Direct appropriations are subject to withdrawal from the state treasury and for expenditure for such purposes, at such time, and in such manner as may be prescribed by law. Direct appropriations are not subject to return and rewithdrawal from the state treasury, except for the correction of an error which may have occurred in any transaction or for reimbursement of expenditures which have occurred in the same fiscal year.
 - (2) A rotary or revolving fund is any designated part of a fund that is set apart as working capital in a manner prescribed by law and devoted to a specific purpose or purposes. The fund consists of earnings and income only from certain sources or a combination thereof. However derived, the money in the fund shall be used for the purpose designated by law as working capital. The fund at any time consists of the original appropriation thereto, if any, all receipts accrued to the fund, and all money withdrawn from the fund and invested or to be invested. The fund shall be kept intact by separate entries in the auditor of state's office, and no part thereof shall be used for any purpose other than the lawful purpose of the fund or revert to any other fund at any time. However, any unencumbered excess above any prescribed amount shall be transferred to the state general fund at the close of each fiscal year unless otherwise specified in the Indiana Code.

SECTION 2. [EFFECTIVE JULY 1, 2003]

For the conduct of state government, its offices, funds, boards, commissions, departments, societies, associations, services, agencies, and undertakings, and for other appropriations not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are appropriated for the periods of time designated from the general fund of the state of Indiana or other specifically designated funds.

In this act, whenever there is no specific fund or account designated, the appropriation is from the general fund.

SECTION 3. [EFFECTIVE JULY 1, 2003]

GENERAL GOVERNMENT

A. LEGISLATIVE

FOR THE GENERAL ASSEMBLY

LEGISLATORS' SALARIES - HOUSE

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,550,728 | 5,512,333 |
|-------------------------|-----------|-----------|

HOUSE EXPENSES

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 7,188,733 | 7,799,322 |
|-------------------------|-----------|-----------|

LEGISLATORS' SALARIES - SENATE

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,071,285 | 1,071,285 |
|-------------------------|-----------|-----------|

SENATE EXPENSES

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 7,186,750 | 7,186,750 |
|-------------------------|-----------|-----------|

Included in the above appropriations for house and senate expenses are funds for a legislative business per diem allowance, meals and other usual and customary expenses associated with legislative affairs. Except as provided below, this allowance is to be paid to each member of the general assembly for every day, including Sundays, during which the general assembly is convened in regular or special session, commencing with the day the session is officially convened and concluding with the day the session is adjourned sine die. However, after five (5) consecutive days of recess, the legislative business per diem allowance is to be made on an individual voucher basis until the recess concludes.

Members of the general assembly are entitled, when authorized by the speaker of the house or the president pro tempore of the senate, to the legislative business per diem allowance for each and every day engaged in official business.

The legislative business per diem allowance that each member of the general assembly is entitled to receive equals the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area. The legislative business per diem changes each time there is a change in that maximum daily amount.

In addition to the legislative business per diem allowance, each member of the general assembly shall receive the mileage allowance in an amount equal to the standard mileage

1 rates for personally owned transportation equipment established by the federal Internal
2 Revenue Service for each mile necessarily traveled from the member's usual place
3 of residence to the state capitol. However, if the member traveled by a means other
4 than by motor vehicle, and the member's usual place of residence is more than one
5 hundred (100) miles from the state capitol, the member is entitled to reimbursement
6 in an amount equal to the lowest air travel cost incurred in traveling from the usual
7 place of residence to the state capitol. During the period the general assembly is
8 convened in regular or special session, the mileage allowance shall be limited to
9 one (1) round trip each week per member.

10
11 Any member of the general assembly who is appointed, either by the governor, speaker
12 of the house, president or president pro tempore of the senate, house or senate minority
13 floor leader, or Indiana legislative council to serve on any research, study, or
14 survey committee or commission, or who attends any meetings authorized or convened
15 under the auspices of the Indiana legislative council, including pre-session conferences
16 and federal-state relations conferences, is entitled, when authorized by the legislative
17 council, to receive the legislative business per diem allowance for each day in actual
18 attendance and is also entitled to a mileage allowance, at the rate specified above,
19 for each mile necessarily traveled from the member's usual place of residence to
20 the state capitol, or other in-state site of the committee, commission, or conference.
21 The per diem allowance and the mileage allowance permitted under this paragraph shall
22 be paid from the legislative council appropriation for legislator and lay member
23 travel unless the member is attending an out-of-state meeting, as authorized by the
24 speaker of the house of representatives or the president pro tempore of the senate,
25 in which case the member is entitled to receive:

- 26 (1) the legislative business per diem allowance for each day the member is engaged
- 27 in approved out-of-state travel; and
- 28 (2) reimbursement for traveling expenses actually incurred in connection with the
- 29 member's duties, as provided in the state travel policies and procedures established
- 30 by the legislative council.

31
32 Notwithstanding the provisions of this or any other statute, the legislative council
33 may adopt, by resolution, travel policies and procedures that apply only to members
34 of the general assembly or to the staffs of the house of representatives, senate,
35 and legislative services agency, or both members and staffs. The legislative council
36 may apply these travel policies and procedures to lay members serving on research,
37 study, or survey committees or commissions that are under the jurisdiction of the
38 legislative council. Notwithstanding any other law, rule, or policy, the state travel
39 policies and procedures established by the Indiana department of administration and
40 approved by the budget agency do not apply to members of the general assembly, to
41 the staffs of the house of representatives, senate, or legislative services agency,
42 or to lay members serving on research, study, or survey committees or commissions
43 under the jurisdiction of the legislative council (if the legislative council applies
44 its travel policies and procedures to lay members under the authority of this SECTION),
45 except that, until the legislative council adopts travel policies and procedures,
46 the state travel policies and procedures established by the Indiana department of
47 administration and approved by the budget agency apply to members of the general
48 assembly, to the staffs of the house of representatives, senate, and legislative
49 services agency, and to lay members serving on research, study, or survey committees

or commissions under the jurisdiction of the legislative council. The executive director of the legislative services agency is responsible for the administration of travel policies and procedures adopted by the legislative council. The auditor of state shall approve and process claims for reimbursement of travel related expenses under this paragraph based upon the written affirmation of the speaker of the house of representatives, the president pro tempore of the senate, or the executive director of the legislative services agency that those claims comply with the travel policies and procedures adopted by the legislative council. If the funds appropriated for the house and senate expenses and legislative salaries are insufficient to pay all the necessary expenses incurred, including the cost of printing the journals of the house and senate, there is appropriated such further sums as may be necessary to pay such expenses.

LEGISLATORS' SUBSISTENCE

LEGISLATORS' EXPENSES - HOUSE

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,775,765 | 2,015,396 |
|-------------------------|-----------|-----------|

LEGISLATORS' EXPENSES - SENATE

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 922,272 | 922,272 |
|-------------------------|---------|---------|

Each member of the general assembly is entitled to a subsistence allowance of forty percent (40%) of the maximum daily amount allowable to employees of the executive branch of the federal government for subsistence expenses while away from home in travel status in the Indianapolis area:

- (1) each day that the general assembly is not convened in regular or special session; and
- (2) each day after the first session day held in November and before the first session day held in January.

However, the subsistence allowance under subdivision (2) may not be paid with respect to any day after the first session day held in November and before the first session day held in January with respect to which all members of the general assembly are entitled to a legislative business per diem.

The subsistence allowance is payable from the appropriations for legislators' subsistence.

The officers of the senate are entitled to the following amounts annually in addition to the subsistence allowance: president pro tempore, \$6,500; assistant president pro tempore, \$2,500; majority floor leader, \$5,000; assistant majority floor leader, \$1,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; finance committee chair, \$5,000; budget subcommittee chair, \$4,000; majority whip, \$3,500; assistant majority whip, \$1,000; minority floor leader, \$5,500; minority caucus chair, \$4,500; minority assistant floor leader, \$4,500; finance committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority whip, \$500; and assistant minority caucus chair, \$500.

Officers of the house of representatives are entitled to the following amounts annually in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro tempore, \$5,000; deputy speaker pro tempore, \$1,500; majority leader, \$5,000; majority caucus chair, \$5,000; assistant majority caucus chair, \$1,000; ways and means committee

chair, \$5,000; ways and means committee ranking majority member, \$3,000; speaker pro tempore emeritus, \$1,500; budget subcommittee chair, \$3,000; majority whip, \$3,500; assistant majority whip, \$1,000; assistant majority leader, \$1,000; minority leader, \$5,500; minority caucus chair, \$4,500; ways and means committee ranking minority member, \$3,500; minority whip, \$2,500; assistant minority leader, \$4,500; second assistant minority leader, \$1,500; and deputy assistant minority leader, \$1,000.

If the funds appropriated for legislators' subsistence are insufficient to pay all the subsistence incurred, there are hereby appropriated such further sums as may be necessary to pay such subsistence.

FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY

| | | |
|---|------------------|------------------|
| Total Operating Expense | 7,887,000 | 8,122,000 |
| LEGISLATOR AND LAY MEMBER TRAVEL | | |
| Total Operating Expense | 560,000 | 570,000 |

If the funds above appropriated for the legislative council and the legislative services agency and legislator and lay member travel are insufficient to pay all the necessary expenses incurred, there are hereby appropriated such further sums as may be necessary to pay those expenses.

Any person other than a member of the general assembly who is appointed by the governor, speaker of the house, president or president pro tempore of the senate, house or senate minority floor leader, or legislative council to serve on any research, study, or survey committee or commission is entitled, when authorized by the legislative council, to a per diem instead of subsistence of \$75 per day during the 2003-2005 biennium. In addition to the per diem, such a person is entitled to mileage reimbursement, at the rate specified for members of the general assembly, for each mile necessarily traveled from the person's usual place of residence to the state capitol or other in-state site of the committee, commission, or conference. However, reimbursement for any out-of-state travel expenses claimed by lay members serving on research, study, or survey committees or commissions under the jurisdiction of the legislative council shall be based on SECTION 19 of this act, until the legislative council applies those travel policies and procedures that govern legislators and their staffs to such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement permitted in this paragraph shall be paid from the legislative council appropriations for legislative and lay member travel unless otherwise provided for by a specific appropriation.

LEGISLATIVE COUNCIL CONTINGENCY FUND

| | |
|--------------------------------|----------------|
| Total Operating Expense | 200,000 |
|--------------------------------|----------------|

Disbursements from the fund may be made only for purposes approved by the chairman and vice chairman of the legislative council.

The legislative services agency shall charge the following fees, unless the legislative council sets these or other fees at different rates:

Annual subscription to the session document service for sessions ending in odd-numbered

years: \$900

Annual subscription to the session document service for sessions ending in even-numbered years: \$500

Per page charge for copies of legislative documents: \$0.15

Annual charge for interim calendar: \$10

Daily charge for the journal of either house: \$2

PRINTING AND DISTRIBUTION

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 550,000 | 580,000 |
|-------------------------|---------|---------|

The above funds are appropriated for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 113th general assembly, the supplements to the Indiana Code for fiscal years 2003-2004 and 2004-2005, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 133,000 | 138,000 |
|-------------------------|---------|---------|

NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 153,000 | 159,000 |
|-------------------------|---------|---------|

FOR THE INDIANA LOBBY REGISTRATION COMMISSION

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 218,285 | 218,285 |
|-------------------------|---------|---------|

FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND LEGISLATORS' RETIREMENT FUND

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 205,540 | 205,540 |
|-------------------------|---------|---------|

B. JUDICIAL

FOR THE SUPREME COURT

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 5,709,622 | 5,619,266 |
| Other Operating Expense | 1,459,198 | 1,531,450 |

The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-13-12-9.

LOCAL JUDGES' SALARIES

| | | |
|-------------------|------------|------------|
| Personal Services | 41,247,705 | 41,247,273 |
|-------------------|------------|------------|

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|--|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 Other Operating Expense | 11,100 | 11,100 | |
| 2 COUNTY PROSECUTORS' SALARIES | | | |
| 3 Personal Services | 17,256,096 | 17,256,096 | |
| 4 Other Operating Expense | 6,400 | 6,400 | |
| 5 | | | |
| 6 The above appropriations for county prosecutors' salaries represent the amounts authorized | | | |
| 7 by IC 33-14-7-5 and that are to be paid from the state general fund. | | | |
| 8 | | | |
| 9 In addition to the appropriations for local judges' salaries and for county prosecutors' | | | |
| 10 salaries, there are hereby appropriated for personal services the amounts that the | | | |
| 11 state is required to pay for salary changes or for additional courts created by the | | | |
| 12 113th general assembly. | | | |
| 13 | | | |
| 14 TRIAL COURT OPERATIONS | | | |
| 15 Total Operating Expense | 353,500 | 353,500 | |
| 16 INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY | | | |
| 17 Total Operating Expense | 625,000 | 625,000 | |
| 18 | | | |
| 19 The above funds are appropriated to the division of state court administration in | | | |
| 20 compliance with the provisions of IC 33-2.1-12-7. | | | |
| 21 | | | |
| 22 PUBLIC DEFENDER COMMISSION | | | |
| 23 Public Defense Fund | | | |
| 24 Total Operating Expense | 4,600,000 | 4,600,000 | |
| 25 Augmentation allowed. | | | |
| 26 | | | |
| 27 The above appropriation is made in addition to the distribution authorized by IC | | | |
| 28 33-19-7-5(c) for the purpose of reimbursing counties for indigent defense services | | | |
| 29 provided to a defendant. The division of state court administration of the supreme | | | |
| 30 court of Indiana shall provide staff support to the commission and shall administer | | | |
| 31 the fund. The administrative costs may come from the fund. | | | |
| 32 | | | |
| 33 GUARDIAN AD LITEM | | | |
| 34 Total Operating Expense | 800,000 | 800,000 | |
| 35 | | | |
| 36 The division of state court administration shall use the foregoing appropriation | | | |
| 37 to administer an office of guardian ad litem and court appointed special advocate | | | |
| 38 services and to provide matching funds to counties that are required to implement, | | | |
| 39 in courts with juvenile jurisdiction, a guardian ad litem and court appointed special | | | |
| 40 advocate program for children who are alleged to be victims of child abuse or neglect | | | |
| 41 under IC 31-33 and to administer the program. However, the court may not use more | | | |
| 42 than \$75,000 per state fiscal year for administration of the program. A county may | | | |
| 43 use these matching funds to supplement amounts collected as fees under IC 31-40-3 | | | |
| 44 and used for the operation of guardian ad litem and court appointed special advocate | | | |
| 45 programs. The county fiscal body shall appropriate adequate funds for the county | | | |
| 46 to be eligible for these matching funds. | | | |
| 47 | | | |
| 48 CIVIL LEGAL AID | | | |
| 49 Total Operating Expense | 1,000,000 | 1,000,000 | |

The above funds are appropriated to the division of state court administration in compliance with the provisions of IC 33-2.1-11-7.

SPECIAL JUDGES - COUNTY COURTS

| | | |
|-------------------------|---------|---------|
| Personal Services | 3,000 | 3,000 |
| Other Operating Expense | 120,000 | 120,000 |

If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 260,996 | 260,996 |
|-------------------------|---------|---------|

FOR THE CLERK OF THE SUPREME AND APPELLATE COURTS

| | | |
|-------------------------|---------|---------|
| Personal Services | 707,885 | 707,885 |
| Other Operating Expense | 186,205 | 186,205 |

FOR THE COURT OF APPEALS

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 7,788,244 | 7,521,971 |
| Other Operating Expense | 1,148,220 | 1,152,220 |

The above appropriations for the court of appeals personal services includes the subsistence allowance provided by IC 33-13-12-9.

FOR THE TAX COURT

| | | |
|-------------------------|---------|---------|
| Personal Services | 475,879 | 465,420 |
| Other Operating Expense | 111,146 | 123,350 |

FOR THE JUDICIAL CENTER

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 1,233,026 | 1,214,495 |
| Other Operating Expense | 694,744 | 736,924 |

The above appropriations for the judicial center include the appropriations for the judicial conference.

DRUG AND ALCOHOL PROGRAMS FUND

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 299,010 | 299,010 |
|-------------------------|---------|---------|

The above funds are appropriated under IC 33-19-7-5 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if the receipts are less than the appropriation, the center may not spend more than is collected.

FOR THE PUBLIC DEFENDER

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 5,110,515 | 5,092,572 |
| Other Operating Expense | 952,820 | 985,133 |

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|-----------|---|---------------------------------------|-----------------------------------|
| 1 | | | |
| 2 | FOR THE PUBLIC DEFENDER COUNCIL | | |
| 3 | Personal Services | 840,096 | 840,096 |
| 4 | Other Operating Expense | 228,458 | 228,458 |
| 5 | | | |
| 6 | FOR THE PROSECUTING ATTORNEYS' COUNCIL | | |
| 7 | Personal Services | 859,204 | 859,204 |
| 8 | Other Operating Expense | 164,489 | 164,489 |
| 9 | DRUG PROSECUTION | | |
| 10 | Drug Prosecution Fund (IC 33-14-8-5) | | |
| 11 | Total Operating Expense | 103,436 | 103,436 |
| 12 | Augmentation allowed. | | |
| 13 | | | |
| 14 | FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND | | |
| 15 | JUDGES' RETIREMENT FUND | | |
| 16 | Other Operating Expense | 9,584,871 | 10,159,964 |
| 17 | PROSECUTORS' RETIREMENT FUND | | |
| 18 | Other Operating Expense | 933,000 | 961,000 |
| 19 | | | |
| 20 | C. EXECUTIVE | | |
| 21 | | | |
| 22 | FOR THE GOVERNOR'S OFFICE | | |
| 23 | Personal Services | 2,069,306 | 2,069,306 |
| 24 | Other Operating Expense | 124,352 | 124,352 |
| 25 | GOVERNOR'S RESIDENCE | | |
| 26 | Total Operating Expense | 166,337 | 166,337 |
| 27 | GOVERNOR'S CONTINGENCY FUND | | |
| 28 | Total Operating Expense | | 163,488 |
| 29 | | | |
| 30 | Direct disbursements from the above contingency fund are not subject to the provisions | | |
| 31 | of IC 5-22. | | |
| 32 | | | |
| 33 | MISCELLANEOUS EXPENSES | | |
| 34 | Total Operating Expense | 9,822 | 9,822 |
| 35 | GOVERNOR'S FELLOWSHIP PROGRAM | | |
| 36 | Total Operating Expense | 154,906 | 154,906 |
| 37 | | | |
| 38 | FOR THE WASHINGTON LIAISON OFFICE | | |
| 39 | Total Operating Expense | 195,037 | 195,037 |
| 40 | | | |
| 41 | FOR THE LIEUTENANT GOVERNOR | | |
| 42 | Personal Services | 735,673 | 735,673 |
| 43 | Other Operating Expense | 26,833 | 26,833 |
| 44 | | | |
| 45 | CONTINGENCY FUND | | |
| 46 | Total Operating Expense | | 38,000 |
| 47 | | | |
| 48 | Direct disbursements from the above contingency fund are not subject to the provisions | | |
| 49 | of IC 5-22. | | |

**FOR THE SECRETARY OF STATE
ADMINISTRATION**

| | | |
|-------------------------|---------|---------|
| Personal Services | 367,569 | 367,569 |
| Other Operating Expense | 33,415 | 33,415 |

BUSINESS SERVICES

| | | |
|-------------------------|---------|---------|
| Personal Services | 797,251 | 797,251 |
| Other Operating Expense | 177,700 | 177,700 |

SECURITIES DIVISION

| | | |
|-------------------------|---------|---------|
| Personal Services | 854,140 | 854,140 |
| Other Operating Expense | 67,545 | 67,545 |

FOR THE ATTORNEY GENERAL

ATTORNEY GENERAL

From the General Fund

| | |
|------------|------------|
| 12,103,579 | 12,103,579 |
|------------|------------|

From the Telephone Solicitation Fund

| | |
|--------|--------|
| 17,260 | 17,260 |
|--------|--------|

Augmentation allowed.

From the Motor Vehicle Odometer Fund (IC 9-29-1-5)

| | |
|---------|---------|
| 701,744 | 701,744 |
|---------|---------|

Augmentation allowed.

From the Medicaid Fraud Control Unit Fund

| | |
|---------|---------|
| 579,371 | 579,371 |
|---------|---------|

Augmentation allowed.

From the Abandoned Property Fund (IC 32-9-1.5-33)

| | |
|---------|---------|
| 167,583 | 167,583 |
|---------|---------|

Augmentation allowed.

The amounts specified from the General Fund, Motor Vehicle Odometer Fund, Medicaid Fraud Control Unit Fund, and Abandoned Property Fund are for the following purposes:

| | | |
|-------------------------|------------|------------|
| Personal Services | 12,410,304 | 12,410,304 |
| Other Operating Expense | 1,159,233 | 1,159,233 |

MEDICAID FRAUD UNIT

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 846,806 | 846,806 |
|-------------------------|---------|---------|

The above appropriations to the Medicaid fraud unit are the state's matching share of the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C. 1396b(q). Augmentation allowed from collections.

VICTIMS' ASSISTANCE ADDRESS CONFIDENTIALITY

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 13,059 | 13,059 |
|-------------------------|--------|--------|

UNCLAIMED PROPERTY

Abandoned Property Fund (IC 32-9-1.5-33)

| | | |
|-------------------------|---------|---------|
| Personal Services | 972,055 | 972,055 |
| Other Operating Expense | 961,100 | 961,100 |

D. FINANCIAL MANAGEMENT

FOR THE AUDITOR OF STATE

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,034,532 | 4,034,532 |
| Other Operating Expense | 1,318,420 | 1,318,420 |

GOVERNOR'S AND GOVERNOR'S SURVIVING SPOUSES' PENSIONS

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 146,900 | 146,900 |
|-------------------------|---------|---------|

The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS

| | | |
|-------------------------|------------|------------|
| Personal Services | 16,919,115 | 16,919,115 |
| Other Operating Expense | 1,325,387 | 1,325,387 |

GOVERNOR ELECT

| | | |
|-------------------------|---|--------|
| Total Operating Expense | 0 | 40,000 |
|-------------------------|---|--------|

FOR THE STATE BUDGET COMMITTEE

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 60,000 | 60,000 |
|-------------------------|--------|--------|

Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE STATE BUDGET AGENCY

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 2,367,509 | 2,367,509 |
| Other Operating Expense | 393,882 | 393,882 |

BUILD INDIANA FUND ADMINISTRATION

Build Indiana Fund (IC 4-30-17)

| | | |
|-------------------------|--------|--------|
| Other Operating Expense | 66,014 | 66,014 |
|-------------------------|--------|--------|

Augmentation allowed.

DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND

| | |
|-------------------------|-----------|
| Total Operating Expense | 9,600,000 |
|-------------------------|-----------|

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment. With the approval of the governor and budget agency, the expenses of conducting an audit of a state agency for the following purposes may be paid from the departmental and institutional emergency contingency fund:

(1) To determine whether the state agency is managing and using its resources (including

personnel, property, and office space) economically and efficiently.

(2) To determine whether there are any inefficiencies or uneconomical practices in the state agency's operations, and, if so, their causes.

(3) To determine whether the state agency has complied with laws and rules concerning matters of economy and efficiency.

PERSONAL SERVICESFRINGE BENEFITS CONTINGENCY FUND

| | |
|-------------------------|------------|
| Total Operating Expense | 89,000,000 |
|-------------------------|------------|

The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. The above appropriation includes funds for an employee leave conversion program if money remains in the fund after salary increases have been given.

The foregoing personal services/fringe benefits contingency fund appropriation may only be used for salary increases and for an employee leave conversion program for state employees in the 2003-2005 biennium and may not be used for any other purpose. The foregoing personal services/fringe benefits contingency fund appropriation does not revert at the end of the biennium but remains in the personal services/fringe benefit contingency fund.

LIBRARY TECHNOLOGY - LIBRARIES (IC 4-34-3-2)

Build Indiana Fund (IC 4-30-17)

| | |
|-------------------------|-----------|
| Other Operating Expense | 6,000,000 |
|-------------------------|-----------|

FOR THE TREASURER OF STATE

| | | |
|-------------------------|---------|---------|
| Personal Services | 810,652 | 810,652 |
| Other Operating Expense | 60,500 | 60,500 |

The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs, and guidelines, including authority operations and travel.

E. TAX ADMINISTRATION

FOR THE DEPARTMENT OF REVENUE COLLECTION AND ADMINISTRATION

| | | |
|-------------------------|------------|------------|
| Personal Services | 38,667,713 | 38,667,713 |
| Other Operating Expense | 12,876,571 | 12,876,571 |

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

OUTSIDE COLLECTIONS

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 2,923,440 | 2,923,440 |
|--------------------------------|------------------|------------------|

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 624,082 | 624,082 |
|--------------------------|----------------|----------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 3,160,143 | 3,160,143 |
|--------------------------------|------------------|------------------|

Augmentation allowed from the Motor Carrier Regulation Fund.

MOTOR FUEL TAX DIVISION

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|--------------------------|------------------|------------------|
| Personal Services | 6,020,546 | 6,020,546 |
|--------------------------|------------------|------------------|

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 767,283 | 767,283 |
|--------------------------------|----------------|----------------|

Augmentation allowed from the Motor Vehicle Highway Account.

In addition to the foregoing appropriations, there is hereby appropriated to the department of revenue motor fuel tax division an amount sufficient to pay claims for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums above appropriated from the motor vehicle highway account for the operation of the motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle fuel, shall be paid from the receipts of those license fees before they are distributed as provided by IC 6-6-1.1.

FOR THE INDIANA GAMING COMMISSION

State Gaming Fund (IC 4-33-13-3)

| | | |
|--------------------------|------------------|------------------|
| Personal Services | 2,111,179 | 2,111,179 |
|--------------------------|------------------|------------------|

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 715,830 | 715,830 |
|--------------------------------|----------------|----------------|

INVESTIGATION

State Gaming Fund (IC 4-33-13-3)

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 925,000 | 925,000 |
|--------------------------|----------------|----------------|

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 458,030 | 458,030 |
|--------------------------------|----------------|----------------|

The foregoing appropriations to the Indiana gaming commission are made from revenues accruing to the state gaming fund under IC 4-33-13-3 before any distribution is made under IC 4-33-13-5.

Augmentation allowed.

The foregoing appropriations to the Indiana gaming commission are made instead of

the appropriation made in IC 4-33-13-4.

The commission may employ or contract for inspectors and agents required under IC 4-33-4-3.5. The licensed owners shall, in the manner prescribed by the rules of the commission, reimburse the commission for the salaries and other expenses of the inspectors and agents who are required to be present during the time gambling operations are conducted on a riverboat.

FOR THE INDIANA HORSE RACING COMMISSION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10)

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 1,781,448 | 1,781,448 |
| Other Operating Expense | 726,896 | 726,896 |

The foregoing appropriations to the Indiana horse racing commission are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

STANDARD BRED BOARD OF REGULATION

Indiana Horse Racing Commission Operating Fund (IC 4-31-10)

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 193,500 | 193,500 |
|-------------------------|---------|---------|

The foregoing appropriations to the standardbred board of regulation are made from revenues accruing to the Indiana horse racing commission before any distribution is made under IC 4-31-9.

Augmentation allowed.

FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 3,783,049 | 3,783,049 |
| Other Operating Expense | 588,154 | 588,154 |

From the above appropriations for the department of local government finance, travel subsistence and mileage allowances may be paid for members of the local government tax control board created by IC 6-1.1-18.5-11 and the state school property tax control board created by IC 6-1.1-19-4.1, under state travel regulations.

FOR THE INDIANA BOARD OF TAX REVIEW

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 1,255,075 | 1,255,075 |
| Other Operating Expense | 120,033 | 120,033 |

F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

| | | |
|-------------------------|------------|------------|
| Personal Services | 11,750,289 | 11,750,289 |
| Other Operating Expense | 8,814,825 | 8,814,825 |

DIVISION OF INFORMATION TECHNOLOGY

| | | |
|-------------------------|-----------|-----------|
| Pay Phone Fund | | |
| Total Operating Expense | 2,180,000 | 2,180,000 |

Augmentation allowed.

The pay phone fund is established for the procurement of hardware, software, and related equipment and services needed to expand and enhance the state campus backbone and other central information technology initiatives. Such procurements may include, but are not limited to, wiring and rewiring of state offices, Internet services, video conferencing, telecommunications, application software and related services. The fund consists of the net proceeds received from contracts with companies providing phone services at state institutions and other state properties. The fund shall be administered by the division of information technology (DOIT) of the department of administration. Money in the fund may be spent by the division in compliance with a plan approved by the budget agency. Any money remaining in the fund at the end of any fiscal year does not revert to the general fund or any other fund but remains in the pay phone fund.

FOR THE STATE PERSONNEL DEPARTMENT

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 3,704,290 | 3,704,290 |
| Other Operating Expense | 520,100 | 520,100 |

STATE EMPLOYEES' APPEALS COMMISSION

| | | |
|-------------------------|---------|---------|
| Personal Services | 142,482 | 142,482 |
| Other Operating Expense | 6,800 | 6,800 |

FOR THE INFORMATION TECHNOLOGY OVERSIGHT COMMISSION

| | | |
|-------------------------|---------|---------|
| Personal Services | 553,778 | 553,778 |
| Other Operating Expense | 109,625 | 109,625 |

FOR THE COMMISSION ON PUBLIC RECORDS

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 1,273,099 | 1,273,099 |
| Other Operating Expense | 176,905 | 176,905 |

FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

| | | |
|-------------------------|---------|---------|
| Personal Services | 139,524 | 139,524 |
| Other Operating Expense | 12,689 | 12,689 |

G. OTHER

FOR THE COMMISSION ON UNIFORM STATE LAWS

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 45,400 | 45,400 |
|-------------------------|--------|--------|

FOR THE STATE ETHICS COMMISSION

| | | |
|-------------------------|---------|---------|
| Personal Services | 224,680 | 224,680 |
| Other Operating Expense | 30,869 | 30,869 |

FOR THE SECRETARY OF STATE

ELECTION DIVISION

| | | |
|-------------------------|---------|---------|
| Personal Services | 538,951 | 538,951 |
| Other Operating Expense | 255,620 | 186,620 |

NATIONAL VOTER REGISTRATION PROGRAM

| | | |
|-------------------------|---------|--------|
| Personal Services | 89,208 | 89,208 |
| Other Operating Expense | 227,400 | 32,400 |

SECTION 4. [EFFECTIVE JULY 1, 2003]

PUBLIC SAFETY

A. CORRECTION

FOR THE DEPARTMENT OF CORRECTION

CENTRAL OFFICE

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 8,832,661 | 8,832,661 |
| Other Operating Expense | 2,371,304 | 2,371,304 |

ESCAPEE COUNSEL AND TRIAL EXPENSE

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 200,000 | 200,000 |
|-------------------------|---------|---------|

COUNTY JAIL MISDEMEANANT HOUSING

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 4,281,101 | 4,281,101 |
|-------------------------|-----------|-----------|

ADULT CONTRACT BEDS

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 10,339,126 | 10,339,126 |
|-------------------------|------------|------------|

STAFF DEVELOPMENT AND TRAINING

| | | |
|-------------------------|---------|---------|
| Personal Services | 960,160 | 960,160 |
| Other Operating Expense | 452,912 | 452,912 |

PAROLE DIVISION

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 5,345,193 | 5,345,193 |
| Other Operating Expense | 787,873 | 787,873 |

PAROLE BOARD

| | | |
|-------------------------|---------|---------|
| Personal Services | 498,489 | 498,489 |
| Other Operating Expense | 38,850 | 38,850 |

INFORMATION MANAGEMENT SERVICES

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 1,960,917 | 1,960,917 |
| Other Operating Expense | 1,942,040 | 1,942,040 |

JUVENILE TRANSITION

| | | |
|-------------------------|------------|-----------|
| Personal Services | 879,168 | 879,168 |
| Other Operating Expense | 12,491,264 | 7,227,964 |

COMMUNITY CORRECTIONS PROGRAMS

| | | |
|-------------------------|--|------------|
| Total Operating Expense | | 50,650,000 |
|-------------------------|--|------------|

The above appropriation for community corrections programs is not subject to transfer to any other fund or to transfer, assignment, or reassignment for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12, or any other law.

DRUG PREVENTION AND OFFENDER TRANSITION

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,050,000 | 1,050,000 |
|-------------------------|-----------|-----------|

The above appropriation shall be used for minimum security release programs, transition programs, mentoring programs and supervision and assistance to adult and juvenile offenders to assure the successful integration of the offender into the community without incidents of recidivism.

CENTRAL EMERGENCY RESPONSE

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Personal Services | 1,062,944 | 1,062,944 | |
| 2 | Other Operating Expense | 460,286 | 460,286 | |
| 3 | MEDICAL SERVICES | | | |
| 4 | Other Operating Expense | 27,257,311 | 27,257,311 | |
| 5 | DRUG ABUSE PREVENTION | | | |
| 6 | Drug Abuse Fund (IC 11-8-2-11) | | | |
| 7 | Personal Services | 36,762 | 36,762 | |
| 8 | Other Operating Expense | 72,000 | 72,000 | |
| 9 | Augmentation allowed. | | | |
| 10 | | | | |
| 11 | FOR THE STATE BUDGET AGENCY | | | |
| 12 | COUNTY JAIL MAINTENANCE CONTINGENCY FUND | | | |
| 13 | Other Operating Expense | 17,455,600 | 17,455,600 | |
| 14 | | | | |
| 15 | Disbursements from the fund shall be made for the purpose of reimbursing sheriffs | | | |
| 16 | for the cost of incarcerating in county jails persons convicted of felonies to the | | | |
| 17 | extent that such persons are incarcerated for more than five (5) days after the day | | | |
| 18 | of sentencing, at the rate of \$35 per day. In addition to the per diem, the state | | | |
| 19 | shall reimburse the sheriffs for any expenses incurred in providing medical care | | | |
| 20 | to the convicted persons. However, if the sheriff or county receives money with respect | | | |
| 21 | to a convicted person (from a source other than the county), the per diem or medical | | | |
| 22 | expense reimbursement with respect to the convicted person shall be reduced by the | | | |
| 23 | amount received. A sheriff shall not be required to comply with IC 35-38-3-4(a) or | | | |
| 24 | transport convicted persons within five (5) days after the day of sentencing if the | | | |
| 25 | department of correction does not have the capacity to receive the convicted person. | | | |
| 26 | | | | |
| 27 | Augmentation allowed. | | | |
| 28 | | | | |
| 29 | MEDICAL SERVICE PAYMENTS | | | |
| 30 | Total Operating Expense | 25,000,000 | 25,000,000 | |
| 31 | | | | |
| 32 | These appropriations for medical service payments are made to pay for medical services | | | |
| 33 | for committed individuals, patients and students of institutions under the jurisdiction | | | |
| 34 | of the department of correction, the state department of health, the division of | | | |
| 35 | mental health, the school for the blind, the school for the deaf, or the division | | | |
| 36 | of disability, aging and rehabilitative services if the services are provided outside | | | |
| 37 | these institutions. These appropriations may not be used for payments for medical | | | |
| 38 | services that are covered by IC 12-16 unless these services have been approved under | | | |
| 39 | IC 12-16. These appropriations shall not be used for payment for medical services | | | |
| 40 | which are payable from an appropriation in this act for the state department of health, | | | |
| 41 | the division of mental health, the school for the blind, the school for the deaf, | | | |
| 42 | the division of disability, aging and rehabilitative services, or the department | | | |
| 43 | of correction, or that are reimbursable from funds for medical assistance under IC | | | |
| 44 | 12-15. If these appropriations to the budget agency are insufficient to make these | | | |
| 45 | medical service payments, there is hereby appropriated such further sums as may be | | | |
| 46 | necessary. | | | |
| 47 | | | | |
| 48 | Direct disbursements from the above contingency fund are not subject to the provisions | | | |
| 49 | of IC 4-13-2. | | | |

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 100,000 | 100,000 |
| Other Operating Expense | 50,000 | 50,000 |

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 26,516,485 | 26,516,485 |
| Other Operating Expense | 6,908,959 | 6,908,959 |

VOCATIONAL TRAINING PROGRAM

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 368,977 | 368,977 |
|--------------------------------|----------------|----------------|

PENDLETON CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 25,497,504 | 25,497,504 |
| Other Operating Expense | 6,979,555 | 6,979,555 |

CORRECTIONAL INDUSTRIAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 19,481,051 | 19,481,051 |
| Other Operating Expense | 3,318,158 | 3,318,158 |

INDIANA WOMEN'S PRISON

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 10,618,287 | 10,618,287 |
| Other Operating Expense | 1,877,182 | 1,877,182 |

PUTNAMVILLE CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 26,078,379 | 26,078,379 |
| Other Operating Expense | 5,450,472 | 5,450,472 |

WABASH VALLEY CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 33,429,851 | 33,429,851 |
| Other Operating Expense | 7,919,277 | 7,919,277 |

PLAINFIELD JUVENILE CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 12,568,959 | 12,568,959 |
| Other Operating Expense | 1,850,413 | 1,850,413 |

INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY

| | | |
|--------------------------------|------------------|-------------------|
| Personal Services | 8,750,541 | 14,703,305 |
| Other Operating Expense | 2,185,998 | 1,727,923 |

BRANCHVILLE CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 16,335,725 | 16,335,725 |
| Other Operating Expense | 2,974,213 | 2,974,213 |

WESTVILLE CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 40,052,652 | 40,052,652 |
| Other Operating Expense | 8,486,632 | 8,486,632 |

WESTVILLE MAXIMUM CONTROL FACILITY

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 5,210,507 | 5,210,507 |
| Other Operating Expense | 598,139 | 598,139 |

ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 13,568,859 | 15,490,111 |
| Other Operating Expense | 2,669,163 | 2,669,163 |

PLAINFIELD CORRECTIONAL FACILITY

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 23,243,871 | 23,243,871 |
| Other Operating Expense | 5,518,732 | 5,518,732 |

RECEPTION AND DIAGNOSTIC CENTER

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Personal Services | 10,004,252 | 10,004,252 | |
| 2 | Other Operating Expense | 1,189,697 | 1,189,697 | |
| 3 | MIAMI CORRECTIONAL FACILITY | | | |
| 4 | Personal Services | 22,374,116 | 22,374,116 | |
| 5 | Other Operating Expense | 4,261,736 | 4,261,736 | |
| 6 | | | | |
| 7 | The foregoing appropriations for the Miami Correctional Facility do not include money | | | |
| 8 | to increase bed capacity beyond what was in use on June 30, 2003. | | | |
| 9 | | | | |
| 10 | NEW CASTLE CORRECTIONAL FACILITY | | | |
| 11 | Personal Services | 9,494,160 | 9,494,160 | |
| 12 | Other Operating Expense | 2,677,840 | 2,677,840 | |
| 13 | | | | |
| 14 | The foregoing appropriations for the New Castle Correctional Facility do not include | | | |
| 15 | money to increase bed capacity beyond what was in use on June 30, 2003. | | | |
| 16 | | | | |
| 17 | SOCIAL SERVICES BLOCK GRANT | | | |
| 18 | General Fund | | | |
| 19 | Total Operating Expense | 7,345,005 | 7,345,005 | |
| 20 | Title XX - Department of Correction Fund (IC 11-10-8-6.5) | | | |
| 21 | Total Operating Expense | 1,905,450 | 1,905,450 | |
| 22 | Augmentation allowed from Work Release Subsistence Fund and Social Services Block | | | |
| 23 | Grant. | | | |
| 24 | HENRYVILLE CORRECTIONAL FACILITY | | | |
| 25 | Personal Services | 1,841,762 | 1,841,762 | |
| 26 | Other Operating Expense | 363,061 | 363,061 | |
| 27 | CHAIN O' LAKES CORRECTIONAL FACILITY | | | |
| 28 | Personal Services | 1,452,400 | 1,452,400 | |
| 29 | Other Operating Expense | 353,500 | 353,500 | |
| 30 | MEDARYVILLE CORRECTIONAL FACILITY | | | |
| 31 | Personal Services | 1,651,486 | 1,651,486 | |
| 32 | Other Operating Expense | 321,007 | 321,007 | |
| 33 | ATTERBURY CORRECTIONAL FACILITY | | | |
| 34 | Personal Services | 1,869,441 | 1,869,441 | |
| 35 | Other Operating Expense | 353,839 | 353,839 | |
| 36 | MADISON CORRECTIONAL FACILITY | | | |
| 37 | Personal Services | 2,892,197 | 2,892,197 | |
| 38 | Other Operating Expense | 472,663 | 472,663 | |
| 39 | EDINBURGH CORRECTIONAL FACILITY | | | |
| 40 | Personal Services | 2,548,527 | 2,548,527 | |
| 41 | Other Operating Expense | 367,264 | 367,264 | |
| 42 | LAKESIDE CORRECTIONAL FACILITY | | | |
| 43 | Personal Services | 4,605,091 | 4,605,091 | |
| 44 | Other Operating Expense | 739,800 | 739,800 | |
| 45 | FORT WAYNE JUVENILE CORRECTIONAL FACILITY | | | |
| 46 | Personal Services | 1,315,048 | 1,315,048 | |
| 47 | Other Operating Expense | 440,588 | 440,588 | |
| 48 | SOUTH BEND JUVENILE CORRECTIONAL FACILITY | | | |
| 49 | Personal Services | 3,854,512 | 3,854,512 | |

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Other Operating Expense | 2,703,437 | 2,703,437 | |
| 2 | LOGANSPOUT INTAKE/DIAGNOSTIC FACILITY | | | |
| 3 | Personal Services | 2,555,804 | 2,555,804 | |
| 4 | Other Operating Expense | 642,009 | 642,009 | |
| 5 | NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY | | | |
| 6 | Personal Services | 7,340,632 | 7,340,632 | |
| 7 | Other Operating Expense | 1,329,548 | 1,329,548 | |
| 8 | CAMP SUMMIT | | | |
| 9 | Personal Services | 2,125,444 | 2,125,444 | |
| 10 | Other Operating Expense | 365,606 | 365,606 | |
| 11 | PENDLETON JUVENILE CORRECTIONAL FACILITY | | | |
| 12 | Personal Services | 13,225,534 | 13,225,534 | |
| 13 | Other Operating Expense | 2,555,224 | 2,555,224 | |
| 14 | DRUG INTERDICTION | | | |
| 15 | Drug Interdiction Fund (IC 10-1-8-2) | | | |
| 16 | Total Operating Expense | 279,000 | 279,000 | |
| 17 | Augmentation allowed. | | | |

B. LAW ENFORCEMENT

FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION

From the General Fund

19,724,078 19,724,078

From the Motor Vehicle Highway Account (IC 8-14-1)

54,724,078 54,724,078

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

6,247,573 6,247,573

From the State Highway Fund (IC 8-23-9-54)

35,000,000 35,000,000

Augmentation allowed from general fund, motor vehicle highway account, and motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, the Motor Carrier Regulation Fund, and the State Highway Fund are for the following purposes:

| | | |
|-------------------------|-------------|-------------|
| Personal Services | 101,006,406 | 101,006,406 |
| Other Operating Expense | 14,689,323 | 14,689,323 |

The above appropriations for personal services and other operating expense include funds to continue the state police minority recruiting program. In addition to any funds that may be expended for accident reporting from the "accident report account" under IC 9-29-11-1, there are included in the appropriations for Indiana state police and motor carrier inspection such additional funds as necessary for administering accident reporting as required under IC 9-26-3.

The foregoing appropriations for the Indiana state police and motor carrier inspection include funds for the police security detail to be provided to the Indiana state fair board. However, any amount expended to provide security for the Indiana state fair board may be reimbursed by the Indiana state fair board to such fund from which

the expenditure was made, in accordance with reimbursement schedules recommended by the budget committee.
Augmentation allowed.

ENFORCEMENT AID FUND

General Fund

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 81,375 | 81,375 |
|-------------------------|--------|--------|

Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 81,375 | 81,375 |
|-------------------------|--------|--------|

Augmentation allowed.

The above appropriations to the enforcement aid fund are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's certificate.

PENSION FUND

General Fund

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,771,806 | 3,771,806 |
|-------------------------|-----------|-----------|

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,771,806 | 3,771,806 |
|-------------------------|-----------|-----------|

The above appropriations shall be paid into the state police pension fund provided for in IC 10-1-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

BENEFIT FUND

General Fund

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,472,717 | 1,472,717 |
|-------------------------|-----------|-----------|

Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,472,717 | 1,472,717 |
|-------------------------|-----------|-----------|

Augmentation allowed.

All benefits that accrue to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-1-2.

SUPPLEMENTAL PENSION

General Fund

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,650,000 | 1,650,000 |
|-------------------------|-----------|-----------|

Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,650,000 | 1,650,000 |
|-------------------------|-----------|-----------|

Augmentation allowed.

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-1-2.6, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-1-2.6 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund and the motor vehicle highway account.

ACCIDENT REPORTING

Accident Report Account (IC 9-29-11-1)

| | | |
|--------------------------------|---------------|---------------|
| Other Operating Expense | 93,000 | 93,000 |
|--------------------------------|---------------|---------------|

Augmentation allowed.

FOR THE ADJUTANT GENERAL

| | | |
|--------------------------|------------------|------------------|
| Personal Services | 7,295,411 | 7,295,411 |
|--------------------------|------------------|------------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 3,212,394 | 3,212,394 |
|--------------------------------|------------------|------------------|

NAVAL FORCES

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 152,029 | 152,029 |
|--------------------------|----------------|----------------|

| | | |
|--------------------------------|---------------|---------------|
| Other Operating Expense | 62,763 | 62,763 |
|--------------------------------|---------------|---------------|

DISABLED SOLDIERS' PENSION

| | | |
|--------------------------------|---------------|---------------|
| Other Operating Expense | 16,167 | 16,740 |
|--------------------------------|---------------|---------------|

GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND

| | | |
|--------------------------------|--|----------------|
| Total Operating Expense | | 720,000 |
|--------------------------------|--|----------------|

The above appropriations for the adjutant general governor's civil and military contingency fund are made under IC 10-2-7-1.

FOR THE CRIMINAL JUSTICE INSTITUTE

ADMINISTRATIVE MATCH

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 449,455 | 449,455 |
|--------------------------------|----------------|----------------|

DRUG ENFORCEMENT MATCH

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 660,609 | 660,609 |
|--------------------------------|----------------|----------------|

VICTIM AND WITNESS ASSISTANCE FUND

Victim and Witness Assistance Fund (IC 5-2-6-14)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 603,196 | 603,196 |
|--------------------------------|----------------|----------------|

Augmentation allowed.

ALCOHOL AND DRUG COUNTERMEASURES

Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 527,100 | 527,100 |
|--------------------------------|----------------|----------------|

Augmentation allowed.

STATE DRUG FREE COMMUNITIES FUND

State Drug Free Communities Fund (IC 5-2-10-2)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 511,325 | 511,325 |
|--------------------------------|----------------|----------------|

Augmentation allowed.

INDIANA SAFE SCHOOLS

General Fund

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 3,749,500 | 3,749,500 |
|--------------------------------|------------------|------------------|

Indiana Safe Schools Fund (IC 5-2-10.1-2)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 400,500 | 400,500 |
|--------------------------------|----------------|----------------|

Augmentation allowed from Indiana Safe Schools Fund.

Of the above appropriations for the Indiana safe schools program, \$3,400,000 is appropriated annually to provide grants to school corporations for school safe haven programs, emergency preparedness programs, and school safety programs, and \$750,000 is appropriated annually for use in providing training to school safety specialists.

OFFICE OF TRAFFIC SAFETY

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 2,857,791 | 2,857,791 |
| Other Operating Expense | 8,323,460 | 8,323,460 |

Augmentation allowed.

The above appropriation for the office of traffic safety is from the motor vehicle highway account and may be used to fund traffic safety projects that are included in a current highway safety plan approved by the governor and the budget agency. The department shall apply to the national highway traffic safety administration for reimbursement of all eligible project costs. Any federal reimbursement received by the department for the highway safety plan shall be deposited into the motor vehicle highway account.

PROJECT IMPACT

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 200,000 | 200,000 |
|-------------------------|---------|---------|

VICTIMS OF VIOLENT CRIME ADMINISTRATION

Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 98,365 | 98,365 |
| Other Operating Expense | 2,361,673 | 2,361,673 |

Augmentation allowed.

FOR THE CORONERS' TRAINING BOARD

Coroners' Training and Continuing Education Fund (IC 4-23-6.5-8)

| | | |
|-------------------------|---------|---------|
| Personal Services | 200,168 | 200,168 |
| Other Operating Expense | 325,780 | 325,780 |

Augmentation allowed.

FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 300,000 | 300,000 |
|-------------------------|---------|---------|

FOR THE LAW ENFORCEMENT TRAINING ACADEMY

From the General Fund

| | |
|-----------|-----------|
| 1,595,111 | 1,595,111 |
|-----------|-----------|

From the Law Enforcement Academy Training (IC 5-2-1-13)

| | |
|-----------|-----------|
| 2,691,261 | 2,691,261 |
|-----------|-----------|

Augmentation allowed from Law Enforcement Academy Training.

The amounts specified from the General Fund and the Law Enforcement Academy Training Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 2,881,221 | 2,881,221 |
| Other Operating Expense | 1,405,151 | 1,405,151 |

C. REGULATORY AND LICENSING

FOR THE BUREAU OF MOTOR VEHICLES

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------|------------|------------|
| Personal Services | 17,497,609 | 17,497,609 |
|-------------------|------------|------------|

| | | |
|-------------------------|------------|------------|
| Other Operating Expense | 20,458,559 | 20,458,559 |
|-------------------------|------------|------------|

Augmentation allowed.

LICENSE PLATES

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 5,500,000 | 5,500,000 |
|-------------------------|-----------|-----------|

Augmentation allowed.

DEALER INVESTIGATOR EXPENSES

Motor Vehicle Odometer Fund (IC 9-29-1-5)

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 268,600 | 268,600 |
|-------------------------|---------|---------|

Augmentation allowed.

FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION

Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 9,047,369 | 9,047,369 |
|-------------------------|-----------|-----------|

Augmentation allowed.

ABANDONED VEHICLES

Abandoned Vehicle Fund (IC 9-22-1-28)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 37,000 | 37,000 |
|-------------------------|--------|--------|

Augmentation allowed.

STATE MOTOR VEHICLE TECHNOLOGY

State Motor Vehicle Technology Fund (IC 9-29-16)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 5,203,029 | 5,203,029 |
|-------------------------|-----------|-----------|

Augmentation allowed.

FOR THE DEPARTMENT OF LABOR

| | | |
|-------------------|---------|---------|
| Personal Services | 962,734 | 962,734 |
|-------------------|---------|---------|

| | | |
|-------------------------|--------|--------|
| Other Operating Expense | 90,400 | 90,400 |
|-------------------------|--------|--------|

INDUSTRIAL HYGIENE

| | | |
|-------------------|-----------|-----------|
| Personal Services | 1,214,231 | 1,214,231 |
|-------------------|-----------|-----------|

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 131,400 | 131,400 |
|-------------------------|---------|---------|

BUREAU OF MINES AND MINING

| | | |
|-------------------|---------|---------|
| Personal Services | 116,646 | 116,646 |
|-------------------|---------|---------|

| | | |
|-------------------------|--------|--------|
| Other Operating Expense | 19,500 | 19,500 |
|-------------------------|--------|--------|

M.I.S. RESEARCH AND STATISTICS

| | | |
|-------------------|---------|---------|
| Personal Services | 231,950 | 231,950 |
|-------------------|---------|---------|

| | | |
|-------------------------|--------|--------|
| Other Operating Expense | 19,450 | 19,450 |
|-------------------------|--------|--------|

The above funds are appropriated to occupational safety and health, industrial hygiene, and to management information services research and statistics to provide the total program cost of the Indiana occupational safety and health plan as approved by the United States Department of Labor. Inasmuch as the state is eligible to receive from the federal government fifty percent (50%) of the state's total Indiana occupational safety and health plan program cost, it is the intention of the general assembly

that the department of labor make application to the federal government for the federal share of the total program cost. Federal funds received shall be considered a reimbursement of state expenditures and as such shall be deposited into the state general fund.

OCCUPATIONAL SAFETY AND HEALTH

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 2,243,377 | 2,243,377 |
| Other Operating Expense | 247,296 | 247,296 |

EMPLOYMENT OF YOUTH

Special Fund for Employment of Youth (IC 20-8.1-4-31)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 74,400 | 74,400 |
|-------------------------|--------|--------|

Augmentation allowed.

BUREAU OF SAFETY EDUCATION AND TRAINING

Special Fund for Safety and Health Consultation Services (IC 22-8-1.1-48)

| | | |
|-------------------------|---------|---------|
| Personal Services | 809,908 | 809,908 |
| Other Operating Expense | 211,500 | 211,500 |

Augmentation allowed.

Federal cost reimbursements for expenses attributable to the Bureau of Safety Education and Training appropriations shall be deposited into the special fund for safety and health consultation services.

FOR THE INSURANCE DEPARTMENT

From the General Fund

| | |
|-----------|-----------|
| 3,378,116 | 3,378,116 |
|-----------|-----------|

From the Department of Insurance Fund (IC 27-1-3-28)

| | |
|-----------|-----------|
| 2,400,484 | 2,400,484 |
|-----------|-----------|

Augmentation allowed from the Department of Insurance Fund.

The amounts specified from the General Fund and the Department of Insurance Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,622,885 | 4,622,885 |
| Other Operating Expense | 1,155,715 | 1,155,715 |

BAIL BOND DIVISION

Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)

| | | |
|-------------------------|---------|---------|
| Personal Services | 106,634 | 106,634 |
| Other Operating Expense | 25,425 | 25,425 |

Augmentation allowed.

PATIENTS' COMPENSATION AUTHORITY

Patients' Compensation Fund (IC 34-18-6-1)

| | | |
|-------------------------|---------|---------|
| Personal Services | 817,882 | 817,882 |
| Other Operating Expense | 84,012 | 84,012 |

Augmentation allowed.

POLITICAL SUBDIVISION RISK MANAGEMENT

Political Subdivision Risk Management Fund (IC 27-1-29-10)

| | | |
|-------------------------|---------|---------|
| Personal Services | 224,030 | 224,030 |
| Other Operating Expense | 858,611 | 858,611 |

Augmentation allowed.

| | | | |
|----|---|------------------|------------------|
| 1 | MINE SUBSIDENCE INSURANCE | | |
| 2 | Mine Subsidence Insurance Fund (IC 27-7-9-7) | | |
| 3 | Personal Services | 136,980 | 136,980 |
| 4 | Other Operating Expense | 211,353 | 211,353 |
| 5 | Augmentation allowed. | | |
| 6 | | | |
| 7 | FOR THE ALCOHOL AND TOBACCO COMMISSION | | |
| 8 | From the Enforcement and Administration Fund (IC 7.1-4-10-1) | | |
| 9 | Personal Services | 4,725,529 | 4,720,236 |
| 10 | Other Operating Expense | 994,935 | 1,000,635 |
| 11 | Augmentation allowed. | | |
| 12 | | | |
| 13 | EXCISE OFFICER TRAINING FUND (IC 5-2-8-8) | | |
| 14 | Total Operating Expense | 7,000 | 7,000 |
| 15 | Augmentation allowed from the Excise Officer Training Fund. | | |
| 16 | | | |
| 17 | FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS | | |
| 18 | Financial Institutions Fund (IC 28-11-2-9) | | |
| 19 | Personal Services | 5,301,521 | 5,301,521 |
| 20 | Other Operating Expense | 1,201,155 | 1,261,155 |
| 21 | Augmentation allowed. | | |
| 22 | | | |
| 23 | FOR THE INDIANA LICENSING AGENCY | | |
| 24 | Personal Services | 3,466,214 | 3,466,214 |
| 25 | Other Operating Expense | 1,493,457 | 1,493,457 |
| 26 | Augmentation allowed in amounts not to exceed additional revenue from fee | | |
| 27 | increases enacted after January 1, 2001. | | |
| 28 | | | |
| 29 | EMBALMERS AND FUNERAL DIRECTORS EDUCATION FUND (IC 25-15-9-13) | | |
| 30 | Total Operating Expense | 5,000 | 5,000 |
| 31 | Augmentation allowed. | | |
| 32 | | | |
| 33 | FOR THE DEPARTMENT OF FIRE AND BUILDING SERVICES | | |
| 34 | Fire and Building Services Fund (IC 22-12-6-1) | | |
| 35 | Personal Services | 7,899,059 | 7,899,059 |
| 36 | Other Operating Expense | 1,697,527 | 1,697,527 |
| 37 | Augmentation allowed. | | |
| 38 | | | |
| 39 | FOR THE PUBLIC SAFETY TRAINING INSTITUTE | | |
| 40 | Fire and Building Services Fund (IC 22-12-6-1) | | |
| 41 | Personal Services | 910,510 | 910,510 |
| 42 | Other Operating Expense | 465,195 | 465,195 |
| 43 | Augmentation allowed. | | |
| 44 | | | |
| 45 | FOR THE CIVIL RIGHTS COMMISSION | | |
| 46 | Personal Services | 2,093,676 | 2,093,676 |
| 47 | Other Operating Expense | 225,482 | 225,482 |
| 48 | | | |
| 49 | It is the intention of the general assembly that the civil rights commission shall | | |

1 apply to the federal government for funding based upon the processing of employment
2 and housing discrimination complaints by the civil rights commission. Such federal
3 funds received by the state shall be considered as a reimbursement of state expenditures
4 and shall be deposited into the state general fund.

5
6 **FOR THE UTILITY CONSUMER COUNSELOR**

7 Public Utility Fund (IC 8-1-6-1)

8 Personal Services 3,480,922 3,478,335

9 Other Operating Expense 518,079 518,079

10 Augmentation allowed.

11
12 **EXPERT WITNESS FEES AND AUDIT**

13 Public Utility Fund (IC 8-1-6-1)

14 Total Operating Expense 1,550,000

15 Augmentation allowed.

16
17 **FOR THE UTILITY REGULATORY COMMISSION**

18 Public Utility Fund (IC 8-1-6-1)

19 Personal Services 4,889,510 4,889,510

20 Other Operating Expense 1,827,094 1,827,094

21 Augmentation allowed.

22
23 **FOR THE WORKERS' COMPENSATION BOARD**

24 Personal Services 1,695,469 1,695,469

25 Other Operating Expense 128,141 128,141

26
27 **FOR THE STATE BOARD OF ANIMAL HEALTH**

28 Personal Services 3,388,942 3,388,942

29 Other Operating Expense 684,468 684,468

30 **INDEMNITY FUND**

31 Total Operating Expense 49,430

32 Augmentation allowed.

33 **MEAT & POULTRY INSPECTION**

34 Total Operating Expense 1,690,926 1,690,926

35
36 **FOR THE EMERGENCY MANAGEMENT AGENCY**

37 Personal Services 1,348,773 1,348,773

38 Other Operating Expense 321,521 321,521

39 **EMERGENCY MANAGEMENT AGENCY CONTINGENCY FUND**

40 Total Operating Expense 250,000 250,000

41 **DIRECTION CONTROL AND WARNING**

42 Total Operating Expense 31,750 31,750

43 **HAZARD MITIGATION ASSISTANCE PROGRAM**

44 Total Operating Expense 1 1

45 Augmentation allowed.

46 **INDIVIDUAL AND FAMILY ASSISTANCE**

47 Total Operating Expense 1 1

48 Augmentation allowed.

49 **PUBLIC ASSISTANCE**

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Other Operating Expense | 52,400 | 52,400 | |
| 2 | NATURE PRESERVES DIVISION | | | |
| 3 | Personal Services | 786,478 | 786,478 | |
| 4 | Other Operating Expense | 52,064 | 52,064 | |
| 5 | DEPARTMENT OF NATURAL RESOURCES FINANCIAL MANAGEMENT | | | |
| 6 | Personal Services | 118,256 | 118,256 | |
| 7 | Other Operating Expense | 48,168 | 48,168 | |
| 8 | WATER DIVISION | | | |
| 9 | Personal Services | 4,601,271 | 4,601,271 | |
| 10 | Other Operating Expense | 677,484 | 677,484 | |
| 11 | | | | |
| 12 | All revenues accruing from state and local units of government and from private utilities | | | |
| 13 | and industrial concerns as a result of water resources study projects, and as a result | | | |
| 14 | of topographic and other mapping projects, shall be deposited into the state general | | | |
| 15 | fund, and such receipts are hereby appropriated, in addition to the foregoing amounts, | | | |
| 16 | for water resources studies. | | | |
| 17 | | | | |
| 18 | GREAT LAKES COMMISSION | | | |
| 19 | Other Operating Expense | 61,000 | 61,000 | |
| 20 | DEER RESEARCH AND MANAGEMENT | | | |
| 21 | Deer Research and Management Fund (IC 14-22-5-2) | | | |
| 22 | Total Operating Expense | 174,000 | 174,000 | |
| 23 | Augmentation allowed. | | | |
| 24 | OIL AND GAS DIVISION | | | |
| 25 | From the General Fund | | | |
| 26 | | 592,283 | 592,283 | |
| 27 | From the Oil and Gas Fund (IC 6-8-1-27) | | | |
| 28 | | 614,189 | 614,189 | |
| 29 | Augmentation allowed from Oil and Gas Fund. | | | |
| 30 | | | | |
| 31 | The amounts specified from the General Fund and the Oil and Gas Fund are for the | | | |
| 32 | following purposes: | | | |
| 33 | | | | |
| 34 | Personal Services | 919,422 | 919,422 | |
| 35 | Other Operating Expense | 287,050 | 287,050 | |
| 36 | | | | |
| 37 | STATE PARKS DIVISION | | | |
| 38 | From the General Fund | | | |
| 39 | | 3,845,734 | 3,845,734 | |
| 40 | From the State Parks Special Revenue Fund (IC 14-19-4-2) | | | |
| 41 | | 14,422,934 | 14,422,934 | |
| 42 | Augmentation allowed from State Parks Special Revenue Fund. | | | |
| 43 | | | | |
| 44 | The amounts specified from the General Fund and the State Parks Special Revenue Fund | | | |
| 45 | are for the following purposes: | | | |
| 46 | | | | |
| 47 | Personal Services | 13,860,926 | 13,860,926 | |
| 48 | Other Operating Expense | 4,407,742 | 4,407,742 | |
| 49 | | | | |

SNOWMOBILE/OFFROAD VEHICLE LICENSING FUND

Snowmobile/Offroad Licensing Fund (IC 14-16-2-8)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 139,908 | 139,908 |
|--------------------------------|----------------|----------------|

Augmentation allowed.

LAW ENFORCEMENT DIVISION

From the General Fund

| | |
|------------------|------------------|
| 9,259,433 | 9,351,852 |
|------------------|------------------|

From the Fish and Wildlife Fund (IC 14-22-3-2)

| | |
|-------------------|-------------------|
| 10,765,810 | 10,889,931 |
|-------------------|-------------------|

Augmentation allowed from the Fish and Wildlife Fund.

The amounts specified from the General Fund and the Fish and Wildlife Fund are for the following purposes:

| | | |
|--------------------------|-------------------|-------------------|
| Personal Services | 16,433,728 | 16,420,482 |
|--------------------------|-------------------|-------------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 3,591,515 | 3,821,301 |
|--------------------------------|------------------|------------------|

FISH AND WILDLIFE DIVISION

Fish and Wildlife Fund (IC 14-22-3-2)

| | | |
|--------------------------|-------------------|-------------------|
| Personal Services | 11,696,166 | 11,696,166 |
|--------------------------|-------------------|-------------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 4,056,937 | 4,056,937 |
|--------------------------------|------------------|------------------|

Augmentation allowed.

FORESTRY DIVISION

From the General Fund

| | |
|----------------|----------------|
| 482,925 | 482,925 |
|----------------|----------------|

From the Division of Forestry Fund (IC 14-23-3-2)

| | |
|------------------|------------------|
| 8,890,840 | 8,890,840 |
|------------------|------------------|

Augmentation allowed from the Division of Forestry Fund.

The amounts specified from the General Fund and the Division of Forestry Fund are for the following purposes:

| | | |
|--------------------------|------------------|------------------|
| Personal Services | 7,757,173 | 7,757,173 |
|--------------------------|------------------|------------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 1,616,592 | 1,616,592 |
|--------------------------------|------------------|------------------|

All money expended by the division of forestry of the department of natural resources for the detention and suppression of forest, grassland, and wasteland fires shall be through the enforcement division of the department, and the employment with such money of all personnel, with the exception of emergency labor, shall be in accordance with IC 14-9-8.

RESERVOIR MANAGEMENT DIVISION

From the General Fund

| | |
|------------------|------------------|
| 2,208,808 | 2,208,808 |
|------------------|------------------|

From the Reservoir Special Revenue Fund (IC 14-19-5-2)

| | |
|------------------|------------------|
| 6,121,343 | 6,121,343 |
|------------------|------------------|

Augmentation allowed from the Reservoir Special Revenue Fund.

The amounts specified from the General Fund and the Reservoir Special Revenue Fund

are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 6,583,687 | 6,583,687 |
| Other Operating Expense | 1,746,464 | 1,746,464 |

RECLAMATION DIVISION

From the General Fund

| | |
|--------|--------|
| 34,992 | 34,992 |
|--------|--------|

From the Natural Resources Reclamation Fund (IC 14-34-14-2)

| | |
|-----------|-----------|
| 4,930,523 | 4,930,523 |
|-----------|-----------|

Augmentation allowed from the Natural Resources Reclamation Fund.

The amounts specified from the General Fund and the Natural Resources Reclamation Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,284,896 | 4,284,896 |
| Other Operating Expense | 680,619 | 680,619 |

In addition to any of the foregoing appropriations for the department of natural resources, any federal funds received by the state of Indiana for support of approved outdoor recreation projects for planning, acquisition, and development under the provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated for the uses and purposes for which the funds were paid to the state, and shall be distributed by the department of natural resources to state agencies and other governmental units in accordance with the provisions under which the funds were received.

SOIL CONSERVATION DIVISION - T BY 2000

Cigarette Tax Fund (IC 6-7-1-29.1)

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 3,652,092 | 3,652,092 |
| Other Operating Expense | 2,043,828 | 2,043,828 |

Augmentation allowed.

LAKE AND RIVER ENHANCEMENT

Lake and River Enhancement Fund (IC 6-6-11-12.5)

| | |
|-------------------------|-----------|
| Total Operating Expense | 2,200,000 |
|-------------------------|-----------|

Augmentation allowed.

B. OTHER NATURAL RESOURCES

FOR THE WORLD WAR MEMORIAL COMMISSION

| | | |
|-------------------------|---------|---------|
| Personal Services | 677,754 | 677,754 |
| Other Operating Expense | 174,327 | 174,327 |

All revenues received as rent for space in the buildings located at 777 North Meridian Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed the costs of operation and maintenance of the space rented, shall be paid into the general fund. The American Legion shall provide for the complete maintenance of the interior of these buildings.

FOR THE WHITE RIVER PARK COMMISSION

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Total Operating Expense | 1,336,699 | 1,336,699 | |
| 2 | | | | |
| 3 | FOR THE ST. JOSEPH RIVER BASIN COMMISSION | | | |
| 4 | Total Operating Expense | 70,029 | 70,029 | |
| 5 | | | | |
| 6 | C. ENVIRONMENTAL MANAGEMENT | | | |
| 7 | | | | |
| 8 | FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT | | | |
| 9 | ADMINISTRATION | | | |
| 10 | From the General Fund | | | |
| 11 | 4,350,539 4,350,539 | | | |
| 12 | From the State Solid Waste Management Fund (IC 13-20-22-2) | | | |
| 13 | 197,971 197,971 | | | |
| 14 | From the Title V Operating Permit Trust Fund (IC 13-17-8-1) | | | |
| 15 | 700,306 700,306 | | | |
| 16 | From the Environmental Management Permit Operation Fund (IC 13-15-11-1) | | | |
| 17 | 951,633 951,633 | | | |
| 18 | From the Environmental Management Special Fund (IC 13-14-12-1) | | | |
| 19 | 140,553 140,553 | | | |
| 20 | From the Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |
| 21 | 351,937 351,937 | | | |
| 22 | From the Asbestos Trust Fund (IC 13-17-6-3) | | | |
| 23 | 48,579 48,579 | | | |
| 24 | From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | | |
| 25 | 73,591 73,591 | | | |
| 26 | From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | | |
| 27 | 1,396,584 1,396,584 | | | |
| 28 | Augmentation allowed from the State Solid Waste Management Fund, Title V Operating | | | |
| 29 | Permit Trust Fund, Environmental Management Permit Operation Fund, Environmental | | | |
| 30 | Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust | | | |
| 31 | Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum | | | |
| 32 | Storage Tank Excess Liability Fund. | | | |
| 33 | | | | |
| 34 | The amounts specified from the General Fund, the State Solid Waste Management Fund, | | | |
| 35 | the Title V Operating Permit Trust Fund, the Environmental Management Permit Operation | | | |
| 36 | Fund, Environmental Management Special Fund, the Hazardous Substances Response Trust | | | |
| 37 | Fund, the Asbestos Trust Fund, the Underground Petroleum Storage Tank Trust Fund, | | | |
| 38 | and the Underground Petroleum Storage Tank Excess Liability Fund are for the following | | | |
| 39 | purposes: | | | |
| 40 | | | | |
| 41 | Personal Services | 5,652,772 | 5,652,772 | |
| 42 | Other Operating Expense | 2,558,921 | 2,558,921 | |
| 43 | | | | |
| 44 | LABORATORY CONTRACTS | | | |
| 45 | General Fund | | | |
| 46 | Total Operating Expense | 830,670 | 830,670 | |
| 47 | Environmental Management Special Fund (IC 13-14-12-1) | | | |
| 48 | Total Operating Expense | 445,211 | 445,211 | |
| 49 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |

| | | | |
|---|--|------------------|------------------|
| 1 | Total Operating Expense | 1,317,996 | 1,317,996 |
| 2 | Augmentation allowed from the Environmental Management Special Fund and the Hazardous | | |
| 3 | Substances Response Trust Fund. | | |

4

5 **NORTHWEST REGIONAL OFFICE**

6 **From the General Fund**

| | | |
|---|----------------|----------------|
| 7 | 479,911 | 479,911 |
|---|----------------|----------------|

8 **From the State Solid Waste Management Fund (IC 13-20-22-2)**

| | | |
|---|--------------|--------------|
| 9 | 3,471 | 3,471 |
|---|--------------|--------------|

10 **From the Title V Operating Permit Trust Fund (IC 13-17-8-1)**

| | | |
|----|----------------|----------------|
| 11 | 416,713 | 416,713 |
|----|----------------|----------------|

12 **From the Environmental Management Permit Operation Fund (IC 13-15-11-1)**

| | | |
|----|----------------|----------------|
| 13 | 167,931 | 167,931 |
|----|----------------|----------------|

14 **From the Environmental Management Special Fund (IC 13-14-12-1)**

| | | |
|----|---------------|---------------|
| 15 | 36,840 | 36,840 |
|----|---------------|---------------|

16 **From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

| | | |
|----|--------------|--------------|
| 17 | 9,369 | 9,369 |
|----|--------------|--------------|

18 **From the Asbestos Trust Fund (IC 13-17-6-3)**

| | | |
|----|---------------|---------------|
| 19 | 54,257 | 54,257 |
|----|---------------|---------------|

20 **From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)**

| | | |
|----|--------------|--------------|
| 21 | 7,498 | 7,498 |
|----|--------------|--------------|

22 **From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)**

| | | |
|----|---------------|---------------|
| 23 | 22,450 | 22,450 |
|----|---------------|---------------|

24 **Augmentation allowed from the State Solid Waste Management Fund, Title V Operating**
 25 **Trust Fund, Environmental Management Permit Operation Fund, Environmental Management**
 26 **Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground**
 27 **Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess**
 28 **Liability Trust Fund.**

29

30 **The amounts specified from the General Fund, State Solid Waste Management Fund, Title**
 31 **V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental**
 32 **Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust**
 33 **Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum**
 34 **Storage Tank Excess Liability Trust Fund are for the following purposes:**

35

| | | | |
|----|--------------------------|------------------|------------------|
| 36 | Personal Services | 1,060,531 | 1,060,531 |
|----|--------------------------|------------------|------------------|

| | | | |
|----|--------------------------------|----------------|----------------|
| 37 | Other Operating Expense | 137,909 | 137,909 |
|----|--------------------------------|----------------|----------------|

38

39 **NORTHERN REGIONAL OFFICE**

40 **From the General Fund**

| | | |
|----|----------------|----------------|
| 41 | 332,772 | 332,772 |
|----|----------------|----------------|

42 **From the State Solid Waste Management Fund (IC 13-20-22-2)**

| | | |
|----|---------------|---------------|
| 43 | 60,474 | 60,474 |
|----|---------------|---------------|

44 **From the Title V Operating Permit Trust Fund (IC 13-17-8-1)**

| | | |
|----|----------------|----------------|
| 45 | 321,340 | 321,340 |
|----|----------------|----------------|

46 **From the Environmental Management Permit Operation Fund (IC 13-15-11-1)**

| | | |
|----|----------------|----------------|
| 47 | 164,656 | 164,656 |
|----|----------------|----------------|

48 **From the Environmental Management Special Fund (IC 13-14-12-1)**

| | | |
|----|---------------|---------------|
| 49 | 10,054 | 10,054 |
|----|---------------|---------------|

1 From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)
 2 18,622 18,622
 3 From the Asbestos Trust Fund (IC 13-17-6-3)
 4 2,095 2,095
 5 From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)
 6 1,929 1,929
 7 From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)
 8 44,361 44,361
 9 Augmentation allowed from the State Solid Waste Management Fund, Title V Operating
 10 Trust Fund, Environmental Management Permit Operation Fund, Environmental Management
 11 Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground
 12 Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess
 13 Liability Trust Fund.
 14

15 The amounts specified from the General Fund, State Solid Waste Management Fund,
 16 Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental
 17 Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust
 18 Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum
 19 Storage Tank Excess Liability Trust Fund are for the following purposes:
 20

| | | |
|----------------------------|---------|---------|
| 21 Personal Services | 781,844 | 781,844 |
| 22 Other Operating Expense | 174,459 | 174,459 |

23
24 **SOUTHWEST REGIONAL OFFICE**

25 From the General Fund
 26 348,205 348,205
 27 From the State Solid Waste Management Fund (IC 13-20-22-2)
 28 102,876 102,876
 29 From the Title V Operating Permit Trust Fund (IC 13-17-8-1)
 30 138,058 138,058
 31 From the Environmental Management Permit Operation Fund (IC 13-15-11-1)
 32 173,892 173,892
 33 From the Environmental Management Special Fund (IC 13-14-12-1)
 34 33,991 33,991
 35 From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)
 36 18,731 18,731
 37 From the Asbestos Trust Fund (IC 13-17-6-3)
 38 5,439 5,439
 39 From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)
 40 2,297 2,297
 41 From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)
 42 44,759 44,759
 43 Augmentation allowed from the State Solid Waste Management Fund, Title V Operating
 44 Trust Fund, Environmental Management Permit Operation Fund, Environmental Management
 45 Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground
 46 Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess
 47 Liability Trust Fund.
 48

49 The amounts specified from the General Fund, State Solid Waste Management Fund, Title

V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 682,287 | 682,287 |
| Other Operating Expense | 185,961 | 185,961 |

LEGAL AFFAIRS

From the General Fund

| | |
|----------------|----------------|
| 780,753 | 780,753 |
|----------------|----------------|

From the State Solid Waste Management Fund (IC 13-20-22-2)

| | |
|--------------|--------------|
| 3,078 | 3,078 |
|--------------|--------------|

From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

| | |
|----------------|----------------|
| 381,854 | 381,854 |
|----------------|----------------|

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

| | |
|----------------|----------------|
| 450,629 | 450,629 |
|----------------|----------------|

From the Environmental Management Special Fund (IC 13-14-12-1)

| | |
|---------------|---------------|
| 27,476 | 27,476 |
|---------------|---------------|

From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

| | |
|---------------|---------------|
| 16,159 | 16,159 |
|---------------|---------------|

From the Asbestos Trust Fund (IC 13-17-6-3)

| | |
|---------------|---------------|
| 59,392 | 59,392 |
|---------------|---------------|

From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

| | |
|---------------|---------------|
| 12,664 | 12,664 |
|---------------|---------------|

From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

| | |
|---------------|---------------|
| 10,249 | 10,249 |
|---------------|---------------|

Augmentation allowed from the State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund.

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 1,585,645 | 1,585,645 |
| Other Operating Expense | 156,609 | 156,609 |

ENFORCEMENT

From the General Fund

| | |
|------------------|------------------|
| 1,012,614 | 1,012,614 |
|------------------|------------------|

From the State Solid Waste Management Fund (IC 13-20-22-2)

| | |
|--------------|--------------|
| 3,541 | 3,541 |
|--------------|--------------|

From the Title V Operating Permit Trust Fund (IC 13-17-8-1)

| | |
|----------------|----------------|
| 336,995 | 336,995 |
|----------------|----------------|

| | | | |
|----|---|-----------|-----------|
| 1 | From the Environmental Management Permit Operation Fund (IC 13-15-11-1) | | |
| 2 | 416,176 | 416,176 | |
| 3 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 4 | 31,435 | 31,435 | |
| 5 | From the Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | |
| 6 | 18,657 | 18,657 | |
| 7 | From the Asbestos Trust Fund (IC 13-17-6-3) | | |
| 8 | 67,946 | 67,946 | |
| 9 | From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 10 | 14,489 | 14,489 | |
| 11 | From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | |
| 12 | 11,729 | 11,729 | |
| 13 | Augmentation allowed from the State Solid Waste Management Fund, Title V Operating | | |
| 14 | Trust Fund, Environmental Management Permit Operation Fund, Environmental Management | | |
| 15 | Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground | | |
| 16 | Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess | | |
| 17 | Liability Trust Fund. | | |
| 18 | | | |
| 19 | The amounts specified from the General Fund, State Solid Waste Management Fund, | | |
| 20 | Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental | | |
| 21 | Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust | | |
| 22 | Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum | | |
| 23 | Storage Tank Excess Liability Trust Fund are for the following purposes: | | |
| 24 | | | |
| 25 | Personal Services | 1,825,380 | 1,825,380 |
| 26 | Other Operating Expense | 88,202 | 88,202 |
| 27 | | | |
| 28 | INVESTIGATIONS | | |
| 29 | From the General Fund | | |
| 30 | 216,829 | 216,829 | |
| 31 | From the State Solid Waste Management Fund (IC 13-20-22-2) | | |
| 32 | 1,168 | 1,168 | |
| 33 | From the Title V Operating Permit Trust Fund (IC 13-17-8-1) | | |
| 34 | 110,936 | 110,936 | |
| 35 | From the Environmental Management Permit Operation Fund (IC 13-15-11-1) | | |
| 36 | 137,006 | 137,006 | |
| 37 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 38 | 10,346 | 10,346 | |
| 39 | From the Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | |
| 40 | 6,141 | 6,141 | |
| 41 | From the Asbestos Trust Fund (IC 13-17-6-3) | | |
| 42 | 22,367 | 22,367 | |
| 43 | From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 44 | 4,771 | 4,771 | |
| 45 | From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | |
| 46 | 3,863 | 3,863 | |
| 47 | Augmentation allowed from the State Solid Waste Management Fund, Title V Operating | | |
| 48 | Trust Fund, Environmental Management Permit Operation Fund, Environmental Management | | |
| 49 | Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground | | |

1 **Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess**
2 **Liability Trust Fund.**

3

4 **The amounts specified from the General Fund, State Solid Waste Management Fund, Title**
5 **V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental**
6 **Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust**
7 **Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum**
8 **Storage Tank Excess Liability Trust Fund are for the following purposes:**

9

| | | |
|-----------------------------------|----------------|----------------|
| 10 Personal Services | 326,041 | 326,041 |
| 11 Other Operating Expense | 187,386 | 187,386 |

12

13 **PLANNING AND ASSESSMENT**

14

15 **From the General Fund**

16 **492,280 492,280**

17 **From the State Solid Waste Management Fund (IC 13-20-22-2)**

18 **20,840 20,840**

19 **From the Title V Operating Permit Trust Fund (IC 13-17-8-1)**

20 **64,913 64,913**

21 **From the Environmental Management Permit Operation Fund (IC 13-15-11-1)**

22 **80,865 80,865**

23 **From the Environmental Management Special Fund (IC 13-14-12-1)**

24 **13,212 13,212**

25 **From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

26 **34,756 34,756**

27 **From the Asbestos Trust Fund (IC 13-17-6-3)**

28 **4,503 4,503**

29 **From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)**

30 **7,223 7,223**

31 **From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)**

32 **137,077 137,077**

33 **Augmentation allowed from the State Solid Waste Management Fund, Title V Operating**
34 **Trust Fund, Environmental Management Permit Operation Fund, Environmental Management**
35 **Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground**
36 **Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess**
37 **Liability Trust Fund.**

38

39 **The amounts specified from the General Fund, State Solid Waste Management Fund,**
40 **Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental**
41 **Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust**
42 **Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum**
43 **Storage Tank Excess Liability Trust Fund are for the following purposes:**

44

| | | |
|-----------------------------------|----------------|----------------|
| 44 Personal Services | 834,169 | 834,169 |
| 45 Other Operating Expense | 21,500 | 21,500 |

46

47 **MEDIA AND COMMUNICATIONS**

48

49 **From the General Fund**

317,515 317,515

| | | | |
|----|--|---------|---------|
| 1 | From the State Solid Waste Management Fund (IC 13-20-22-2) | | |
| 2 | | 17,833 | 17,833 |
| 3 | From the Title V Operating Permit Trust Fund (IC 13-17-8-1) | | |
| 4 | | 55,547 | 55,547 |
| 5 | From the Environmental Management Permit Operation Fund (IC 13-15-11-1) | | |
| 6 | | 69,197 | 69,197 |
| 7 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 8 | | 11,305 | 11,305 |
| 9 | From the Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | |
| 10 | | 29,741 | 29,741 |
| 11 | From the Asbestos Trust Fund (IC 13-17-6-3) | | |
| 12 | | 3,853 | 3,853 |
| 13 | From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 14 | | 6,181 | 6,181 |
| 15 | From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | |
| 16 | | 117,299 | 117,299 |
| 17 | Augmentation allowed from the State Solid Waste Management Fund, Title V Operating | | |
| 18 | Trust Fund, Environmental Management Permit Operation Fund, Environmental Management | | |
| 19 | Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground | | |
| 20 | Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess | | |
| 21 | Liability Trust Fund. | | |

The amounts specified from the General Fund, State Solid Waste Management Fund, Title V Operating Trust Fund, Environmental Management Permit Operation Fund, Environmental Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum Storage Tank Excess Liability Trust Fund are for the following purposes:

| | | | |
|----|-------------------------|---------|---------|
| 29 | Personal Services | 576,171 | 576,171 |
| 30 | Other Operating Expense | 52,300 | 52,300 |

PUBLIC POLICY AND PLANNING

| | | | |
|----|--|---------|---------|
| 33 | From the General Fund | | |
| 34 | | 205,267 | 205,267 |
| 35 | From the State Solid Waste Management Fund (IC 13-20-22-2) | | |
| 36 | | 16,536 | 16,536 |
| 37 | From the Title V Operating Permit Trust Fund (IC 13-17-8-1) | | |
| 38 | | 51,508 | 51,508 |
| 39 | From the Environmental Management Permit Operation Fund (IC 13-15-11-1) | | |
| 40 | | 64,166 | 64,166 |
| 41 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 42 | | 10,484 | 10,484 |
| 43 | From the Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | |
| 44 | | 27,579 | 27,579 |
| 45 | From the Asbestos Trust Fund (IC 13-17-6-3) | | |
| 46 | | 3,573 | 3,573 |
| 47 | From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 48 | | 5,731 | 5,731 |
| 49 | From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | |

| | | | |
|----|--|-----------|-----------|
| 1 | 108,771 | 108,771 | |
| 2 | Augmentation allowed from the State Solid Waste Management Fund, Title V Operating | | |
| 3 | Permit Trust Fund, Environmental Management Permit Operation Fund, Environmental | | |
| 4 | Management Special Fund, Hazardous Substances Response Trust Fund, Asbestos Trust | | |
| 5 | Fund, Underground Petroleum Storage Tank Trust Fund, and the Underground Petroleum | | |
| 6 | Storage Tank Excess Liability Fund. | | |
| 7 | | | |
| 8 | The amounts specified from the General Fund, the State Solid Waste Management Fund, | | |
| 9 | the Title V Operating Permit Trust Fund, the Environmental Management Permit Operation | | |
| 10 | Fund, Environmental Management Special Fund, the Hazardous Substances Response Trust | | |
| 11 | Fund, the Asbestos Trust Fund, the Underground Petroleum Storage Tank Trust Fund, | | |
| 12 | and the Underground Petroleum Storage Tank Excess Liability Fund are for the following | | |
| 13 | purposes: | | |
| 14 | | | |
| 15 | Personal Services | 444,400 | 444,400 |
| 16 | Other Operating Expense | 49,215 | 49,215 |
| 17 | | | |
| 18 | OHIO RIVER VALLEY WATER SANITATION COMMISSION | | |
| 19 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 20 | Total Operating Expense | 242,900 | 242,900 |
| 21 | Augmentation allowed. | | |
| 22 | OFFICE OF ENVIRONMENTAL RESPONSE | | |
| 23 | Personal Services | 1,986,571 | 1,986,571 |
| 24 | Other Operating Expense | 619,069 | 619,069 |
| 25 | POLLUTION PREVENTION AND TECHNICAL ASSISTANCE | | |
| 26 | Personal Services | 1,056,692 | 1,056,692 |
| 27 | Other Operating Expense | 298,826 | 298,826 |
| 28 | PCB INSPECTIONS | | |
| 29 | Environmental Management Permit Operation Fund (IC 13-15-11-1) | | |
| 30 | Total Operating Expense | 40,000 | 40,000 |
| 31 | Augmentation allowed. | | |
| 32 | U.S. GEOLOGICAL SURVEY CONTRACTS | | |
| 33 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 34 | Total Operating Expense | 62,890 | 62,890 |
| 35 | STATE SOLID WASTE GRANTS MANAGEMENT | | |
| 36 | State Solid Waste Management Fund (IC 13-20-22-2) | | |
| 37 | Personal Services | 236,987 | 236,987 |
| 38 | Other Operating Expense | 1,372,630 | 1,372,630 |
| 39 | Augmentation allowed. | | |
| 40 | VOLUNTARY CLEAN-UP PROGRAM | | |
| 41 | Voluntary Remediation Fund (IC 13-25-5-21) | | |
| 42 | Personal Services | 636,512 | 636,512 |
| 43 | Other Operating Expense | 551,500 | 551,500 |
| 44 | Augmentation allowed. | | |
| 45 | TITLE V AIR PERMIT PROGRAM | | |
| 46 | Title V Operating Permit Trust Fund (IC 13-17-8-1) | | |
| 47 | Personal Services | 5,537,684 | 5,537,684 |
| 48 | Other Operating Expense | 3,592,609 | 3,174,989 |
| 49 | Augmentation allowed. | | |

WATER MANAGEMENT PERMITTING

From the General Fund

1,854,641 1,854,641

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

3,950,000 3,950,000

Augmentation allowed from the Environmental Management Permit Operation Fund.

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,856,814 | 4,856,814 |
| Other Operating Expense | 947,827 | 947,827 |

SOLID WASTE MANAGEMENT PERMITTING

From the General Fund

1,990,625 1,990,625

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

2,967,769 2,967,769

Augmentation allowed from the Environmental Management Permit Operation Fund.

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,556,623 | 4,556,623 |
| Other Operating Expense | 401,771 | 401,771 |

HAZARDOUS WASTE MANAGEMENT PERMITTING

From the General Fund

2,469,511 2,469,511

From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

2,844,043 2,844,043

Augmentation allowed from the Environmental Management Permit Operation Fund.

The amounts specified from the General Fund and the Environmental Management Permit Operation Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 4,172,589 | 4,172,589 |
| Other Operating Expense | 1,140,965 | 1,140,965 |

WATERSHED MANAGEMENT

Environmental Management Special Fund (IC 13-14-12-1)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 24,038 | 24,038 |
|-------------------------|--------|--------|

Augmentation allowed.

CLEAN VESSEL PUMPOUT

Environmental Management Special Fund (IC 13-14-12-1)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 58,300 | 58,300 |
|-------------------------|--------|--------|

Augmentation allowed.

GROUNDWATER PROGRAM

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 274,902 | 274,902 |
|-------------------------|---------|---------|

| | | | |
|----|--|-----------|-----------|
| 1 | UNDERGROUND STORAGE TANK PROGRAM | | |
| 2 | Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 3 | Total Operating Expense | 291,037 | 291,037 |
| 4 | Augmentation allowed. | | |
| 5 | AIR MANAGEMENT OPERATING | | |
| 6 | From the General Fund | | |
| 7 | | 923,961 | 891,310 |
| 8 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 9 | | 1,626,039 | 1,658,690 |
| 10 | Augmentation allowed from the Environmental Management Special Fund. | | |
| 11 | | | |
| 12 | The amounts specified from the General Fund and the Environmental Management Special | | |
| 13 | Fund are for the following purposes: | | |
| 14 | | | |
| 15 | Personal Services | 1,678,608 | 1,678,608 |
| 16 | Other Operating Expense | 871,392 | 871,392 |
| 17 | | | |
| 18 | WATER MANAGEMENT NON-PERMITTING | | |
| 19 | Personal Services | 3,023,737 | 3,023,737 |
| 20 | Other Operating Expense | 574,209 | 574,209 |
| 21 | GREAT LAKES INITIATIVE | | |
| 22 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 23 | Total Operating Expense | 94,958 | 94,958 |
| 24 | Augmentation allowed. | | |
| 25 | OPERATOR TRAINING | | |
| 26 | Total Operating Expense | 42,301 | 42,301 |
| 27 | SAFE DRINKING WATER | | |
| 28 | From the General Fund | | |
| 29 | | 541,286 | 541,286 |
| 30 | From the Environmental Management Special Fund (IC 13-14-12-1) | | |
| 31 | | 44,926 | 44,926 |
| 32 | Augmentation allowed from the Environmental Management Special Fund. | | |
| 33 | | | |
| 34 | The amounts specified from the General Fund and the Environmental Management Special | | |
| 35 | Fund are for the following purposes: | | |
| 36 | | | |
| 37 | Personal Services | 434,183 | 434,183 |
| 38 | Other Operating Expense | 152,029 | 152,029 |
| 39 | | | |
| 40 | LEAKING UNDERGROUND STORAGE TANKS | | |
| 41 | Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 42 | Personal Services | 117,257 | 117,257 |
| 43 | Other Operating Expense | 44,109 | 44,109 |
| 44 | Augmentation allowed. | | |
| 45 | CORE SUPERFUND | | |
| 46 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | |
| 47 | Total Operating Expense | 136,122 | 136,122 |
| 48 | Augmentation allowed. | | |
| 49 | AUTO EMISSIONS TESTING PROGRAM | | |

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Personal Services | 238,571 | 238,571 | |
| 2 | Other Operating Expense | 7,710,705 | 7,743,356 | |
| 3 | HAZARDOUS WASTE SITE - STATE CLEAN-UP | | | |
| 4 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |
| 5 | Personal Services | 893,093 | 893,093 | |
| 6 | Other Operating Expense | 1,323,811 | 1,323,811 | |
| 7 | Augmentation allowed. | | | |
| 8 | HAZARDOUS WASTE SITES - NATURAL RESOURCE DAMAGES | | | |
| 9 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |
| 10 | Personal Services | 118,367 | 118,367 | |
| 11 | Other Operating Expense | 680,991 | 680,991 | |
| 12 | Augmentation allowed. | | | |
| 13 | SUPERFUND MATCH | | | |
| 14 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |
| 15 | Total Operating Expense | 354,985 | 354,985 | |
| 16 | Augmentation allowed. | | | |
| 17 | HOUSEHOLD HAZARDOUS WASTE | | | |
| 18 | Hazardous Substances Response Trust Fund (IC 13-25-4-1) | | | |
| 19 | Personal Services | 39,693 | 39,693 | |
| 20 | Other Operating Expense | 443,816 | 443,816 | |
| 21 | Augmentation allowed. | | | |
| 22 | | | | |
| 23 | Notwithstanding any other law, with the approval of the governor and the budget agency, | | | |
| 24 | the above appropriations for water management permitting, hazardous waste management | | | |
| 25 | permitting, wetlands protection, watershed management, groundwater program, underground | | | |
| 26 | storage tank program, air management operating, lead-based paint activities program, | | | |
| 27 | water management non-permitting, coastal management (pollution prevention incentives), | | | |
| 28 | and safe drinking water may be used to fund activities incorporated into a performance | | | |
| 29 | partnership grant between the United States Environmental Protection Agency and the | | | |
| 30 | Department of Environmental Management. | | | |
| 31 | | | | |
| 32 | ASBESTOS TRUST - OPERATING | | | |
| 33 | Asbestos Trust Fund (IC 13-17-6-3) | | | |
| 34 | Personal Services | 523,723 | 523,723 | |
| 35 | Other Operating Expense | 150,384 | 150,384 | |
| 36 | Augmentation allowed. | | | |
| 37 | UNDERGROUND PETROLEUM STORAGE TANK - OPERATING | | | |
| 38 | Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1) | | | |
| 39 | Personal Services | 161,161 | 161,161 | |
| 40 | Other Operating Expense | 48,026,000 | 48,026,000 | |
| 41 | Augmentation allowed. | | | |
| 42 | WASTE TIRE MANAGEMENT | | | |
| 43 | Waste Tire Management Fund (IC 13-20-13-8) | | | |
| 44 | Total Operating Expense | 100,000 | 100,000 | |
| 45 | Augmentation allowed. | | | |
| 46 | VOLUNTARY COMPLIANCE | | | |
| 47 | Environmental Management Special Fund (IC 13-14-12-1) | | | |
| 48 | Personal Services | 202,929 | 202,929 | |
| 49 | Other Operating Expense | 217,737 | 217,737 | |

| | | | |
|----|--|-----------|-----------|
| 1 | Augmentation allowed. | | |
| 2 | ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING | | |
| 3 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 4 | Total Operating Expense | 1,100,000 | 1,100,000 |
| 5 | Augmentation allowed. | | |
| 6 | SMALL TOWN COMPLIANCE | | |
| 7 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 8 | Total Operating Expense | 60,000 | 60,000 |
| 9 | Augmentation allowed. | | |
| 10 | WETLANDS PROTECTION | | |
| 11 | Environmental Management Special Fund (IC 13-14-12-1) | | |
| 12 | Total Operating Expense | 50,709 | 50,709 |
| 13 | Augmentation allowed. | | |
| 14 | PETROLEUM TRUST - OPERATING | | |
| 15 | Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1) | | |
| 16 | Personal Services | 226,961 | 226,961 |
| 17 | Other Operating Expense | 462,885 | 462,885 |
| 18 | Augmentation allowed. | | |
| 19 | LEAD BASED PAINT ACTIVITIES PROGRAM | | |
| 20 | Lead Trust Fund (IC 13-17-14-6) | | |
| 21 | Total Operating Expense | 23,500 | 23,500 |
| 22 | Augmentation allowed. | | |
| 23 | | | |
| 24 | FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION | | |
| 25 | Personal Services | 205,722 | 205,722 |
| 26 | Other Operating Expense | 100,723 | 100,723 |
| 27 | | | |
| 28 | FOR THE CLEAN MANUFACTURING TECHNOLOGY BOARD | | |
| 29 | Total Operating Expense | 475,000 | 475,000 |
| 30 | | | |
| 31 | SECTION 6. [EFFECTIVE JULY 1, 2003] | | |
| 32 | | | |
| 33 | ECONOMIC DEVELOPMENT | | |
| 34 | | | |
| 35 | A. AGRICULTURE | | |
| 36 | | | |
| 37 | FOR THE LIEUTENANT GOVERNOR | | |
| 38 | OFFICE OF THE COMMISSIONER OF AGRICULTURE | | |
| 39 | Personal Services | 1,359,749 | 1,359,749 |
| 40 | Other Operating Expense | 251,202 | 251,202 |
| 41 | VALUE ADDED RESEARCH FUND | | |
| 42 | Total Operating Expense | 257,957 | 257,957 |
| 43 | FARM COUNSELING PROGRAM | | |
| 44 | Total Operating Expense | 279,000 | 279,000 |
| 45 | LAND RESOURCES COUNCIL | | |
| 46 | Total Operating Expense | | 301,266 |
| 47 | | | |
| 48 | B. COMMERCE | | |
| 49 | | | |

FOR THE DEPARTMENT OF COMMERCE
ADMINISTRATIVE AND FINANCIAL SERVICES
From the General Fund

4,224,726 4,224,726

From the Skills 2016 Fund

142,073 142,073

From the Industrial Development Grant Fund

48,124 48,124

The amounts specified from the General Fund, Skills 2016, and Industrial Development Grant Fund are for the following purposes:

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 2,852,663 | 2,852,663 |
| Other Operating Expense | 1,562,260 | 1,562,260 |

COMMUNITY ECONOMIC DEVELOPMENT

| | | |
|-------------------|-----------|-----------|
| Personal Services | 4,770,872 | 4,770,872 |
|-------------------|-----------|-----------|

| | | |
|-------------------------|-----------|-----------|
| Other Operating Expense | 1,301,531 | 1,301,531 |
|-------------------------|-----------|-----------|

INTERNATIONAL TRADE

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,394,676 | 1,394,676 |
|-------------------------|-----------|-----------|

RECYCLING OPERATING

Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

| | | |
|-------------------|--------|--------|
| Personal Services | 48,124 | 48,124 |
|-------------------|--------|--------|

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 183,358 | 183,358 |
|-------------------------|---------|---------|

Augmentation allowed.

ENTERPRISE ZONE PROGRAM

Indiana Enterprise Zone Fund (IC 4-4-6.1-2.3)

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 339,118 | 339,118 |
|-------------------------|---------|---------|

Augmentation allowed.

STATE ENERGY PROGRAM

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 96,794 | 96,794 |
|-------------------------|--------|--------|

INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,800,000 | 1,800,000 |
|-------------------------|-----------|-----------|

The department shall collect and report to the family and social services administration (FSSA) all data required for FSSA to meet the data collection and reporting requirements in 45 CFR Part 265.

Family and social services administration, division of family and children shall apply all qualifying expenditures for individual development accounts deposits toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.).

**LOCAL ECONOMIC DEVELOPMENT ORGANIZATION/
REGIONAL ECONOMIC DEVELOPMENT ORGANIZATION
(LEDOR/REDO) MATCHING GRANT PROGRAM**

| | |
|-------------------------|-----------|
| Total Operating Expense | 1,900,000 |
|-------------------------|-----------|

SKILLS 2016

| | |
|-------------------------|------------|
| Total Operating Expense | 23,137,450 |
|-------------------------|------------|

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 BUSINESS AND TOURISM PROMOTION FUND | | | |
| 2 Total Operating Expense | | | 9,747,290 |
| 3 RECYCLING PROMOTION AND ASSISTANCE PROGRAM | | | |
| 4 Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14) | | | |
| 5 Total Operating Expense | 1,500,000 | 1,500,000 | |
| 6 Augmentation allowed. | | | |
| 7 | | | |
| 8 TRADE PROMOTION FUND | | | |
| 9 Total Operating Expense | 200,000 | 200,000 | |
| 10 ECONOMIC DEVELOPMENT FUND | | | |
| 11 Total Operating Expense | | | 1,200,000 |
| 12 INDUSTRIAL DEVELOPMENT GRANT FUND | | | |
| 13 Total Operating Expense | | | 6,500,000 |
| 14 ECONOMIC DEVELOPMENT COUNCIL | | | |
| 15 Total Operating Expense | 309,225 | 309,225 | |
| 16 INDIANA DEVELOPMENT FINANCE AUTHORITY (IDFA) | | | |
| 17 CAPITAL ACCESS PROGRAM | | | |
| 18 Total Operating Expense | | | 2,642,500 |
| 19 ENVIRONMENTAL REMEDIATION REVOLVING LOAN FUND | | | |
| 20 Total Operating Expense | | | 5,000,000 |
| 21 PROJECT GUARANTY FUND | | | |
| 22 Total Operating Expense | | | 2,750,000 |
| 23 BUSINESS DEVELOPMENT LOAN FUND | | | |
| 24 Total Operating Expense | | | 2,000,000 |
| 25 | | | |
| 26 C. COMMUNITY SERVICES | | | |
| 27 | | | |
| 28 FOR THE GOVERNOR'S COMMISSION ON | | | |
| 29 COMMUNITY SERVICE AND VOLUNTEERISM | | | |
| 30 Personal Services | 237,396 | 237,396 | |
| 31 Other Operating Expense | 89,517 | 89,517 | |
| 32 | | | |
| 33 D. EMPLOYMENT SERVICES | | | |
| 34 | | | |
| 35 FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT | | | |
| 36 ADMINISTRATION | | | |
| 37 Total Operating Expense | 1,144,950 | 1,144,950 | |
| 38 STATE WORKFORCE DEVELOPMENT FUND | | | |
| 39 Total Operating Expense | 2,547,770 | 2,547,770 | |
| 40 WOMEN'S COMMISSION | | | |
| 41 Personal Services | 104,616 | 104,616 | |
| 42 Other Operating Expense | 7,724 | 7,724 | |
| 43 | | | |
| 44 SECTION 7. [EFFECTIVE JULY 1, 2003] | | | |
| 45 | | | |
| 46 TRANSPORTATION | | | |
| 47 | | | |
| 48 FOR THE DEPARTMENT OF TRANSPORTATION | | | |
| 49 | | | |

For the conduct and operation of the department of transportation, the following sums are appropriated for the periods designated, from the state general fund, the public mass transportation fund, the industrial rail service fund, the state highway fund, the motor vehicle highway account, the distressed road fund, the state highway road construction and improvement fund, the motor carrier regulation fund, and the crossroads 2000 fund.

PLANNING AND ADMINISTRATION

From the State Highway Fund (IC 8-23-9-54)

| | |
|---------|---------|
| 516,673 | 516,673 |
|---------|---------|

From the Public Mass Transportation Fund (IC 8-23-3-8)

| | |
|---------|---------|
| 202,176 | 202,176 |
|---------|---------|

From the Industrial Rail Fund (IC 8-3-1.7-2)

| | |
|--------|--------|
| 29,952 | 29,952 |
|--------|--------|

Augmentation allowed from the Public Mass Transportation Fund, Industrial Rail Service Fund, and State Highway Fund.

The amounts specified from the Public Mass Transportation Fund, Industrial Rail Service Fund, and State Highway Fund are for the following purposes:

| | | |
|-------------------------|---------|---------|
| Personal Services | 571,981 | 571,981 |
| Other Operating Expense | 176,820 | 176,820 |

The above appropriations may be used to match federal funds available for planning and administration of transportation in Indiana.

INTERMODAL OPERATING

From the State Highway Fund (IC 8-23-9-54)

| | |
|---------|---------|
| 491,613 | 491,613 |
|---------|---------|

From the Public Mass Transportation Fund (IC 8-23-3-8)

| | |
|---------|---------|
| 339,656 | 339,656 |
|---------|---------|

From the Industrial Rail Fund (IC 8-3-1.7-2)

| | |
|---------|---------|
| 339,656 | 339,656 |
|---------|---------|

Augmentation allowed from the State Highway Fund, Public Mass Transportation Fund and Industrial Rail Service Fund.

The amounts specified from the State Highway Fund, the Public Mass Transportation Fund, and the Industrial Rail Service Fund are for the following purposes:

| | | |
|-------------------------|---------|---------|
| Personal Services | 979,022 | 979,022 |
| Other Operating Expense | 191,903 | 191,903 |

INTERMODAL GRANT PROGRAM

Department of Transportation Administration Fund

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 42,000 | 42,000 |
|-------------------------|--------|--------|

Public Mass Transportation Fund (IC 8-23-3-8)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 37,500 | 37,500 |
|-------------------------|--------|--------|

Augmentation allowed from Public Mass Transportation Fund.

RAILROAD GRADE CROSSING IMPROVEMENT

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|--|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 Total Operating Expense | 465,000 | 465,000 | |
| 2 PUBLIC MASS TRANSPORTATION | | | |
| 3 Public Mass Transportation Fund (IC 8-23-3-8) | | | |
| 4 Matching Funds | 29,555,438 | 30,320,229 | |
| 5 Augmentation allowed. | | | |
| 6 | | | |
| 7 The appropriations are to be used solely for the promotion and development of public | | | |
| 8 transportation. The department of transportation shall allocate funds based on a | | | |
| 9 formula approved by the commissioner of the department of transportation. | | | |
| 10 | | | |
| 11 The department of transportation may distribute public mass transportation funds | | | |
| 12 to an eligible grantee that provides public transportation in Indiana. | | | |
| 13 | | | |
| 14 The state funds can be used to match federal funds available under the Federal Transit | | | |
| 15 Act (49 U.S.C. 1601, et seq.), or local funds from a requesting grantee. | | | |
| 16 | | | |
| 17 Before funds may be disbursed to a grantee, the grantee must submit its request for | | | |
| 18 financial assistance to the department of transportation for approval. Allocations | | | |
| 19 must be approved by the governor and the budget agency after review by the budget | | | |
| 20 committee and shall be made on a reimbursement basis. Only applications for capital | | | |
| 21 and operating assistance may be approved. Only those grantees that have met the reporting | | | |
| 22 requirements under IC 8-23-3 are eligible for assistance under this appropriation. | | | |
| 23 | | | |
| 24 HIGHWAY OPERATING | | | |
| 25 State Highway Fund (IC 8-23-9-54) | | | |
| 26 Personal Services | 206,601,190 | 206,601,190 | |
| 27 Other Operating Expense | 42,446,379 | 42,446,379 | |
| 28 | | | |
| 29 HIGHWAY BUILDINGS AND GROUNDS | | | |
| 30 State Highway Fund (IC 8-23-9-54) | | | |
| 31 Total Operating Expense | | | 27,287,344 |
| 32 | | | |
| 33 The above appropriations for highway buildings and grounds may be used for land acquisition, | | | |
| 34 site development, construction and equipping of new highway facilities and for maintenance, | | | |
| 35 repair, and rehabilitation of existing state highway facilities. | | | |
| 36 | | | |
| 37 HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT | | | |
| 38 State Highway Fund (IC 8-23-9-54) | | | |
| 39 Other Operating Expense | 19,500,000 | 19,500,000 | |
| 40 | | | |
| 41 The above appropriations for highway operating and highway vehicle and road maintenance | | | |
| 42 equipment may be used for personal services, equipment, and other operating expense, | | | |
| 43 including the cost of transportation for the governor. | | | |
| 44 | | | |
| 45 HIGHWAY MAINTENANCE WORK PROGRAM | | | |
| 46 State Highway Fund (IC 8-23-9-54) | | | |
| 47 Other Operating Expense | 70,420,000 | 70,420,000 | |
| 48 | | | |
| 49 The above appropriations for the highway maintenance work program may be used for: | | | |

- (1) materials for patching roadways and shoulders;
- (2) repairing and painting bridges;
- (3) installing signs and signals and painting roadways for traffic control;
- (4) mowing, herbicide application, and brush control;
- (5) drainage control;
- (6) maintenance of rest areas, public roads on properties of the department of natural resources, and driveways on the premises of all state facilities;
- (7) materials for snow and ice removal;
- (8) utility costs for roadway lighting; and
- (9) other special maintenance and support activities consistent with the highway maintenance work program.

HIGHWAY CAPITAL IMPROVEMENTS

State Highway Fund (IC 8-23-9-54)

| | | |
|--|-------------------|-------------------|
| Right of Way Expense | 11,340,000 | 11,660,000 |
| Formal Contracts Expense | 97,011,379 | 92,949,840 |
| Consulting Service Expense | 28,000,000 | 30,000,000 |
| Institutional Road Construction | 4,000,000 | 4,000,000 |

The above appropriations for the capital improvements program may be used for:

- (1) bridge rehabilitation and replacement;
- (2) road construction, reconstruction, or replacement;
- (3) construction, reconstruction, or replacement of travel lanes, intersections, grade separations, rest parks, and weigh stations;
- (4) relocation and modernization of existing roads;
- (5) resurfacing;
- (6) erosion and slide control;
- (7) construction and improvement of railroad grade crossings, including the use of the appropriations to match federal funds for projects;
- (8) small structure replacements;
- (9) safety and spot improvements; and
- (10) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects.

The foregoing appropriations for highway operating, highway vehicles and road maintenance equipment, highway buildings and grounds, the highway planning and research program, the highway maintenance work program, and highway capital improvements are appropriated from estimated revenues which include the following:

- (1) Funds distributed to the state highway fund from the motor vehicle highway account under IC 8-14-1-3(4).
- (2) Funds distributed to the state highway fund from the highway, road, and street fund under IC 8-14-2-3.
- (3) All fees and miscellaneous revenues deposited in or accruing to the state highway fund under IC 8-23-9-54.
- (4) Any unencumbered funds carried forward in the state highway fund from any previous fiscal year.
- (5) All other funds appropriated or made available to the department by the general assembly.

If funds from sources set out above for the department exceed appropriations from those sources to the department, the excess amount is hereby appropriated to be used at the discretion of the department with approval of the governor and the budget agency for the conduct and operation of the department.

If there is a change in a statute reducing or increasing revenue for department use, the budget agency shall notify the auditor of state to adjust the above appropriations to reflect the estimated increase or decrease. Upon the request of the department, the budget agency, with the approval of the governor, may allot any increase in appropriations to the department.

If the department of transportation finds that an emergency exists or that an appropriation will be insufficient to cover expenses incurred in the normal operation of the department, the budget agency may, upon request of the department, and with the approval of the governor, transfer funds from revenue sources set out above from one (1) appropriation to the deficient appropriation. No appropriation from the state highway fund may be used to fund any toll road or toll bridge project except as specifically provided for under IC 8-15-2-20.

HIGHWAY PLANNING AND RESEARCH PROGRAM

State Highway Fund (IC 8-23-9-54)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,250,000 | 3,250,000 |
|-------------------------|-----------|-----------|

STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM

Highway Construction Improvement Fund (IC 8-14-10-5)

| | | |
|-------------------------------|------------|------------|
| Formal Contracts Expense | 31,900,000 | 28,400,000 |
| Lease Rental Payments Expense | 34,400,000 | 39,000,000 |

Augmentation allowed.

The above appropriations for the state highway road construction and improvement program are appropriated from the state highway road construction and improvement fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward from any previous fiscal year. The funds may be used for:

- (1) road and bridge construction, reconstruction, or replacement;
- (2) construction, reconstruction, or replacement of travel lanes, intersections, grade separations;
- (3) relocation and modernization of existing roads;
- (4) right-of-way, relocation, and engineering and consulting expenses associated with any of the above types of projects; and
- (5) payment of rentals and leases relating to projects under IC 8-14.5.

CROSSROADS 2000 PROGRAM

Crossroads 2000 Fund (IC 8-14-10-9)

| | | |
|-------------------------------|------------|------------|
| Lease Rental Payments Expense | 36,800,000 | 37,200,000 |
|-------------------------------|------------|------------|

Augmentation allowed.

FEDERAL APPORTIONMENT

| | | |
|--------------------------|-------------|-------------|
| Right-of-Way Expense | 45,360,000 | 46,640,000 |
| Formal Contracts Expense | 309,240,000 | 314,960,000 |

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|---|----------------------------------|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Consulting Engineers Expense | 47,000,000 | 45,000,000 | |
| 2 | Highway Planning and Research | 13,000,000 | 13,000,000 | |
| 3 | Local Government Revolving Acct. | 158,332,000 | 160,000,000 | |

4
5 The department may establish an account to be known as the "local government revolving
6 account". The account is to be used to administer the federal-local highway construction
7 program. All contracts issued and all funds received for federal-local projects under
8 this program shall be entered into this account.
9

10 If the federal apportionments for the fiscal years covered by this act exceed the
11 above estimated appropriations for the department or for local governments, the excess
12 federal apportionment is hereby appropriated for use by the department with the approval
13 of the governor and the budget agency.
14

15 The department shall bill, in a timely manner, the federal government for all department
16 payments that are eligible for total or partial reimbursement.
17

18 The department may let contracts and enter into agreements for construction and preliminary
19 engineering during each year of the 2003-2005 biennium that obligate not more than
20 one-third (1/3) of the amount of state funds estimated by the department to be available
21 for appropriation in the following year for formal contracts and consulting engineers
22 for the capital improvements program.
23

24 Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct
25 and maintain roadside parks and highways where highways will connect any state highway
26 now existing, or hereafter constructed, with any state park, state forest preserve,
27 state game preserve, or the grounds of any state institution. There is appropriated
28 to the department of transportation an amount sufficient to carry out the provisions
29 of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from
30 the motor vehicle highway account before distribution to local units of government.
31

32 LOCAL TECHNICAL ASSISTANCE AND RESEARCH

33
34 Under IC 8-14-1-3(6), there is appropriated to the department of transportation an
35 amount sufficient for:

- 36 (1) the program of technical assistance under IC 8-23-2-5(6); and
37 (2) the research and highway extension program conducted for local government under
38 IC 8-17-7-4.
39

40 The department shall develop an annual program of work for research and extension
41 in cooperation with those units being served, listing the types of research and educational
42 programs to be undertaken. The commissioner of the department of transportation may
43 make a grant under this appropriation to the institution or agency selected to conduct
44 the annual work program. Under IC 8-14-1-3(6), appropriations for the program of
45 technical assistance and for the program of research and extension shall be taken
46 from the local share of the motor vehicle highway account.
47

48 Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain
49 a sufficient working balance in accounts established to match federal and local money

for highway projects. These funds are appropriated from the following sources in the proportion specified:

- (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle highway account under IC 8-14-1-3(7); and
- (2) for counties and for those cities and towns with a population greater than five thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

SECTION 8. [EFFECTIVE JULY 1, 2003]

FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS

A. FAMILY AND SOCIAL SERVICES

FOR THE STATE BUDGET AGENCY

FSSA/DEPARTMENT OF HEALTH INSTITUTIONAL CONTINGENCY FUND

| | |
|--------------------------------|------------------|
| Total Operating Expense | 2,000,000 |
|--------------------------------|------------------|

The above institutional contingency fund shall be allotted upon the recommendation of the budget agency with approval of the governor. This appropriation may be used to supplement individual hospital, state developmental center, and special institutions budgets.

FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION

FAMILY AND SOCIAL SERVICES ADMINISTRATION

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 13,812,028 | 13,812,028 |
|--------------------------------|-------------------|-------------------|

COMMISSION FOR THE STATUS OF BLACK MALES

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 126,101 | 126,101 |
|--------------------------------|----------------|----------------|

OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 4,124,812 | 4,124,812 |
|--------------------------------|------------------|------------------|

MEDICAID ADMINISTRATION

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 49,500,000 | 49,500,000 |
|--------------------------------|-------------------|-------------------|

MEDICAID - CURRENT OBLIGATIONS

General Fund

| | | |
|--------------------------------|----------------------|----------------------|
| Total Operating Expense | 1,286,700,000 | 1,395,500,000 |
|--------------------------------|----------------------|----------------------|

Hospital Care for the Indigent Fund (IC 12-16-14-6)

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 55,200,000 | 56,900,000 |
|--------------------------------|-------------------|-------------------|

Augmentation allowed.

The foregoing appropriations for Medicaid current obligations and for Medicaid administration are for the purpose of enabling the office of Medicaid policy and planning to carry out all services as provided in IC 12-8-6. In addition to the above appropriations, all money received from the federal government and paid into the state treasury as a grant or allowance is appropriated and shall be expended by the office of Medicaid policy and planning for the respective purposes for which the money was allocated and paid to this state. Subject to the provisions of P.L.46-1995, if the sums herein appropriated for Medicaid current obligations and for Medicaid administration are insufficient to enable the office of Medicaid policy and planning to meet its obligations, then there is appropriated from the state general fund such further sums as may be necessary for that purpose, subject to the approval of the governor and the budget

agency.

Subject to the approval of the governor and the budget agency, the foregoing appropriations for Medicaid - Current Obligations may be augmented or reduced based on revenues accruing to the hospital care for the indigent fund.

MEDICAID DISABILITY ELIGIBILITY EXAMS

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,195,000 | 3,195,000 |
|-------------------------|-----------|-----------|

DIVISION OF MENTAL HEALTH ADMINISTRATION

| | | |
|-------------------|-----------|-----------|
| Personal Services | 2,308,149 | 2,308,149 |
|-------------------|-----------|-----------|

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 172,416 | 172,416 |
|-------------------------|---------|---------|

SERIOUSLY EMOTIONALLY DISTURBED

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 16,485,578 | 16,485,578 |
|-------------------------|------------|------------|

SERIOUSLY MENTALLY ILL

General Fund

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 93,894,784 | 93,894,784 |
|-------------------------|------------|------------|

Mental Health Centers Fund (IC 6-7-1)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 4,445,000 | 4,445,000 |
|-------------------------|-----------|-----------|

Augmentation allowed.

The comprehensive community mental health centers shall submit their proposed annual budgets (including income and operating statements) to the budget agency on or before August 1 of each year. All federal funds shall be applied in augmentation of the foregoing funds rather than in place of any part of the funds.

The above appropriations for comprehensive community mental health services include the intragovernmental transfers necessary to provide the nonfederal share of reimbursement under the Medicaid rehabilitation option.

GAMBLER'S ASSISTANCE FUND (IC 4-33-12-6(f))

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 1,182,056 | 1,182,056 |
|-------------------------|-----------|-----------|

SUBSTANCE ABUSE TREATMENT

General Fund

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 5,006,000 | 5,006,000 |
|-------------------------|-----------|-----------|

Gamblers' Assistance Fund (IC 4-33-12-6)

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 4,946,936 | 4,946,936 |
|-------------------------|-----------|-----------|

Augmentation allowed.

QUALITY ASSURANCE/RESEARCH

General Fund

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 882,976 | 882,976 |
|-------------------------|---------|---------|

Gamblers' Assistance Fund (IC 4-33-12-6)

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 92,812 | 92,812 |
|-------------------------|--------|--------|

PREVENTION SERVICES

Gamblers' Assistance Fund (IC 4-33-12-6)

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 975,132 | 975,132 |
|-------------------------|---------|---------|

MENTAL HEALTH INSTITUTIONS

General Fund

| | | |
|-------------------------|--|-------------|
| Total Operating Expense | | 243,892,654 |
|-------------------------|--|-------------|

| | | |
|---|---|-------------------|
| 1 | Mental Health Fund (IC 12-24-14-4) | |
| 2 | Total Operating Expense | 41,357,678 |
| 3 | Augmentation allowed. | |

4

5 The foregoing appropriations for the mental health institutions are for the operations

6 of Evansville Psychiatric Treatment Center for Children, Evansville State Hospital,

7 Larue D. Carter Memorial Hospital, Logansport State Hospital, Madison State Hospital,

8 Richmond State Hospital.

9

10 Sixty-six percent (66%) of the revenue accruing to the state mental health institutions

11 under IC 12-15 shall be deposited in the mental health fund established by IC 12-24-14,

12 and thirty-four percent (34%) of the revenue accruing to the institutions, under

13 IC 12-15, shall be deposited in the state general fund.

14

15 In addition to the above appropriations each institution may qualify for an additional

16 appropriation, or allotment, subject to approval of the governor and the budget agency,

17 from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000

18 in each fiscal year, of the amount by which actual net collections exceed an amount

19 specified in writing by the division of mental health before July 1 of each year

20 beginning July 1, 2003.

21

22 **DIVISION OF FAMILY AND CHILDREN SERVICES ADMINISTRATION**

| | | | |
|----|-------------------------|-----------|-----------|
| 23 | Personal Services | 3,889,302 | 3,889,302 |
| 24 | Other Operating Expense | 1,498,168 | 1,498,168 |

25 **TITLE IV-D OF THE FEDERAL SOCIAL SECURITY ACT (STATE MATCH)**

| | | | |
|----|-------------------------|-----------|-----------|
| 26 | Total Operating Expense | 3,938,171 | 3,938,171 |
|----|-------------------------|-----------|-----------|

27

28 The foregoing appropriations for the division of family and children Title IV-D of

29 the federal Social Security Act are made under, and not in addition to, IC 12-17-2-31.

30

31 **STATE WELFARE - COUNTY ADMINISTRATION**

| | | | |
|----|-------------------------|------------|------------|
| 32 | Total Operating Expense | 98,281,302 | 98,281,302 |
|----|-------------------------|------------|------------|

33 **EDUCATION AND TRAINING**

| | | | |
|----|-------------------------|-----------|-----------|
| 34 | Total Operating Expense | 8,309,088 | 8,309,088 |
|----|-------------------------|-----------|-----------|

35 **TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)**

| | | | |
|----|-------------------------|------------|------------|
| 36 | Total Operating Expense | 31,357,943 | 31,357,943 |
|----|-------------------------|------------|------------|

37 **INFORMATION SYSTEMS/TECHNOLOGY**

| | | | |
|----|-------------------------|------------|------------|
| 38 | Total Operating Expense | 12,931,228 | 12,931,228 |
|----|-------------------------|------------|------------|

39 **CHILD CARE SERVICES**

| | | | |
|----|-------------------------|------------|------------|
| 40 | Total Operating Expense | 33,670,756 | 33,670,756 |
|----|-------------------------|------------|------------|

41

42 The foregoing appropriations for information systems/technology, education and training,

43 temporary assistance to needy families (TANF), and child care services are for the

44 purpose of enabling the division of family and children to carry out all services as

45 provided in IC 12-14. In addition to the above appropriations, all money received from the

46 federal government and paid into the state treasury as a grant or allowance is

47 appropriated and shall be expended by the division of family and children for the

48 respective purposes for which such money was allocated and paid to this state.

49

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 TITLE IV-B CHILD WELFARE ADMINISTRATION | | | |
| 2 Total Operating Expense | 569,401 | 569,401 | |
| 3 ADOPTION ASSISTANCE | | | |
| 4 Total Operating Expense | 7,302,930 | 7,302,930 | |
| 5 | | | |
| 6 The foregoing appropriations for Title IV-B child welfare and adoption assistance | | | |
| 7 represent the maximum state match for Title IV-B, and Title IV-E. | | | |
| 8 | | | |
| 9 DOMESTIC VIOLENCE PREVENTION AND TREATMENT PROGRAM | | | |
| 10 General Fund | | | |
| 11 Total Operating Expense | 1,000,000 | 1,000,000 | |
| 12 Domestic Violence Prevention and Treatment Fund (IC 12-18-4) | | | |
| 13 Total Operating Expense | 1,000,000 | 1,000,000 | |
| 14 Augmentation allowed. | | | |
| 15 STEP AHEAD | | | |
| 16 Total Operating Expense | 1,784,493 | 1,784,493 | |
| 17 FOOD ASSISTANCE PROGRAM | | | |
| 18 Total Operating Expense | 146,000 | 146,000 | |
| 19 YOUTH SERVICE BUREAU | | | |
| 20 Total Operating Expense | 1,250,000 | 1,250,000 | |
| 21 | | | |
| 22 The executive director of the division of family and children shall establish standards | | | |
| 23 for youth service bureaus. Any youth service bureau that is not an agency of a unit | | | |
| 24 of local government or is not registered with the Indiana secretary of state as a | | | |
| 25 nonprofit corporation shall not be funded. The division of family and children shall | | | |
| 26 fund all youth service bureaus that meet the standards as established June 30, 1983. | | | |
| 27 However, a grant may not be made without approval by the budget agency after review | | | |
| 28 by the budget committee. | | | |
| 29 | | | |
| 30 EARLY CHILDHOOD INTERVENTION SERVICES/PROJECT SAFEPLACE | | | |
| 31 Total Operating Expense | 6,583,433 | 6,583,433 | |
| 32 | | | |
| 33 SOCIAL SERVICES BLOCK GRANT (SSBG) | | | |
| 34 Total Operating Expense | 16,534,000 | 16,534,000 | |
| 35 | | | |
| 36 The above appropriated funds are allocated in the following manner during the biennium: | | | |
| 37 | | | |
| 38 Division of Disability, Aging, and Rehabilitative Services | | | |
| 39 | 1,615,017 | 1,615,017 | |
| 40 Division of Family and Children, Child Welfare | | | |
| 41 | 12,404,090 | 12,404,090 | |
| 42 Division of Family and Children, Family Protection Services | | | |
| 43 | 1,475,214 | 1,475,214 | |
| 44 Department of Health | | | |
| 45 | 228,376 | 228,376 | |
| 46 Department of Correction | | | |
| 47 | 811,303 | 811,303 | |
| 48 | | | |
| 49 FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION | | | |

AGING AND DISABILITY SERVICES

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 16,941,480 | 16,941,480 |
|--------------------------------|-------------------|-------------------|

DIVISION OF DISABILITY, AGING, AND REHABILITATIVE SERVICES ADMINISTRATION

| | | |
|--------------------------------|--------------|--------------|
| Total Operating Expense | 3,080 | 3,080 |
|--------------------------------|--------------|--------------|

The above appropriations for the division of disability, aging, and rehabilitative services administration are for administrative expenses. Any federal fund reimbursements received for such purposes are to be deposited in the state general fund.

C.H.O.I.C.E. IN-HOME SERVICES

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 48,673,544 | 48,673,544 |
|--------------------------------|-------------------|-------------------|

The foregoing appropriations for C.H.O.I.C.E./In-Home Services include intragovernmental transfers to provide the nonfederal share of the Medicaid aged and disabled waiver. In addition to the Medicaid aged and disabled waivers provided under intragovernmental transfers, an additional \$3,000,000 may be used each year for Medicaid aged and disabled waivers.

If the appropriations for C.H.O.I.C.E./In-Home Services are insufficient to provide services to all eligible persons, the division of disability, aging, and rehabilitative services may give priority for services to persons who are unable to perform three (3) or more activities of daily living (as defined in IC 12-10-10-1.5). The division of disability, aging, and rehabilitative services may discontinue conducting assessments for individuals applying for services under the C.H.O.I.C.E./In-Home Services program if a waiting list for such services exists.

The division of disability, aging, and rehabilitative services shall conduct an annual evaluation of the cost effectiveness of providing home care. Before January of each year, the division shall submit a report to the budget committee, the budget agency, and the legislative council that covers all aspects of the division's evaluation and such other information pertaining thereto as may be requested by the budget committee, the budget agency, or the legislative council, including the following:

- (1) the number and demographic characteristics of the recipients of home care during the preceding fiscal year;
- (2) the total cost and per recipient cost of providing home care services during the preceding fiscal year;
- (3) the number of recipients of home care services who would have been placed in long term care facilities had they not received home care services; and
- (4) the total cost savings during the preceding fiscal year realized by the state due to recipients of home care services (including Medicaid) being diverted from long term care facilities.

The division shall obtain from providers of services data on their costs and expenditures regarding implementation of the program and report the findings to the budget committee, the budget agency, and the legislative council.

VOCATIONAL REHABILITATION SERVICES

| | | |
|--------------------------------|-------------------|-------------------|
| Personal Services | 3,555,739 | 3,555,739 |
| Other Operating Expense | 11,952,631 | 11,952,631 |

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|--|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 AID TO INDEPENDENT LIVING | | | |
| 2 Total Operating Expense | 22,222 | 22,222 | |
| 3 ATTAIN PROJECT | | | |
| 4 Total Operating Expense | 355,500 | 355,500 | |
| 5 OFFICE OF DEAF AND HEARING IMPAIRED | | | |
| 6 Personal Services | 278,202 | 278,202 | |
| 7 Other Operating Expense | 219,519 | 219,519 | |
| 8 BLIND VENDING OPERATIONS | | | |
| 9 Total Operating Expense | 130,137 | 130,137 | |
| 10 DEVELOPMENTALLY DISABLED CLIENT SERVICES | | | |
| 11 General Fund | | | |
| 12 Total Operating Expense | | | 151,038,450 |
| 13 | | | |
| 14 With the approval of the governor and the budget agency, an amount up to \$1,250,000 | | | |
| 15 for each year of the biennium may be transferred from the above appropriation for | | | |
| 16 client services to early childhood intervention services. | | | |
| 17 | | | |
| 18 The above appropriations for client services include the intragovernmental transfers | | | |
| 19 necessary to provide the nonfederal share of reimbursement under the Medicaid program | | | |
| 20 for day services provided to residents of group homes and nursing facilities. | | | |
| 21 | | | |
| 22 In the development of new community residential settings for persons with developmental | | | |
| 23 disabilities, the division of disability, aging, and rehabilitative services must | | | |
| 24 give priority to the appropriate placement of such persons who are eligible for Medicaid | | | |
| 25 and currently residing in intermediate care or skilled nursing facilities and, to | | | |
| 26 the extent permitted by law, such persons who reside with aged parents or guardians | | | |
| 27 or families in crisis. | | | |
| 28 | | | |
| 29 STATE DEVELOPMENTAL CENTERS | | | |
| 30 From the General Fund | | | |
| 31 Total Operating Expense | | | 90,541,100 |
| 32 From the Mental Health Fund (IC 12-24-14-4) | | | |
| 33 Total Operating Expense | | | 82,181,216 |
| 34 From the MSDC Vocational | | | |
| 35 Total Operating Expense | | | 17,920 |
| 36 Augmentation allowed. | | | |
| 37 | | | |
| 38 The foregoing appropriations for the state developmental centers are for the operations | | | |
| 39 of the Fort Wayne state developmental center and the Muscatatuck state developmental | | | |
| 40 center. | | | |
| 41 | | | |
| 42 Sixty-six percent (66%) of the revenue accruing to the above named state developmental | | | |
| 43 centers under IC 12-15 shall be deposited in the mental health fund established under | | | |
| 44 IC 12-24-14, and thirty-four percent (34%) of the revenue accruing to the above named | | | |
| 45 institutions under IC 12-15 shall be deposited in the state general fund. | | | |
| 46 | | | |
| 47 In addition to the above appropriations, each institution may qualify for an additional | | | |
| 48 appropriation, or allotment, subject to approval of the governor and the budget agency, | | | |
| 49 from the mental health fund of up to twenty percent (20%) but not to exceed \$50,000, | | | |

of the amount in which actual net collections exceed an amount specified in writing by the division of disability, aging, and rehabilitative services before July 1 of each year beginning July 1, 2003.

B. PUBLIC HEALTH

FOR THE STATE DEPARTMENT OF HEALTH

| | | |
|-------------------------|------------|------------|
| Personal Services | 18,694,664 | 18,694,664 |
| Other Operating Expense | 7,054,223 | 7,054,223 |

All receipts to the state department of health from licenses or permit fees shall be deposited in the state general fund.

CANCER REGISTRY

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 237,224 | 237,224 |
|-------------------------|---------|---------|

MINORITY HEALTH INITIATIVE

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 2,092,500 | 2,092,500 |
|-------------------------|-----------|-----------|

SICKLE CELL

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 232,500 | 232,500 |
|-------------------------|---------|---------|

AID TO COUNTY TUBERCULOSIS HOSPITALS

| | | |
|-------------------------|---------|---------|
| Other Operating Expense | 107,397 | 107,397 |
|-------------------------|---------|---------|

These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis patients for whom there are no other sources of reimbursement, including patient resources, health insurance, medical assistance payments, and hospital care for the indigent.

MEDICARE-MEDICAID CERTIFICATION

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 4,429,886 | 4,429,886 |
|-------------------------|-----------|-----------|

Personal services augmentation allowed in amounts not to exceed additional revenue from health facilities license fee increases or from health care providers (as defined in IC 16-18-2-163) fee increases enacted after January 1, 2003 or adopted by the Executive Board of the Indiana State Department of Health pursuant to IC 16-19-3-35.

AIDS EDUCATION

| | | |
|-------------------------|---------|---------|
| Personal Services | 315,208 | 315,208 |
| Other Operating Expense | 359,594 | 359,594 |

HIV/AIDS SERVICES

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 2,325,004 | 2,325,004 |
|-------------------------|-----------|-----------|

TEST FOR DRUG AFFLICTED BABIES

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 62,496 | 62,496 |
|-------------------------|--------|--------|

The above appropriations for drug afflicted babies shall be used for the following purposes:

- (1) All newborn infants shall be tested for the presence of a controlled substance in the infant's meconium if they meet the criteria established by the state department of health. These criteria will, at a minimum, include all newborns, if at birth:
 - (A) the infant's weight is less than two thousand five hundred (2,500) grams;

(B) the infant's head is smaller than the third percentile for the infant's gestational age; and
 (C) there is no medical explanation for the conditions described in clauses (A) and (B).
 (2) If a meconium test determines the presence of a controlled substance in the infant's meconium, the infant may be declared a child in need of services as provided in IC 31-34-1-10 through IC 31-34-1-13. However, the child's mother may not be prosecuted in connection with the results of the test.
 (3) The state department of health shall provide forms on which the results of a meconium test performed on an infant under subdivision (1) must be reported to the state department of health by physicians and hospitals.
 (4) The state department of health shall, at least semi-annually:
 (A) ascertain the extent of testing under this chapter; and
 (B) report its findings under subdivision (1) to:
 (i) all hospitals;
 (ii) physicians who specialize in obstetrics and gynecology or work with infants and young children; and
 (iii) any other group interested in child welfare that requests a copy of the report from the state department of health.
 (5) The state department of health shall designate at least one (1) laboratory to perform the meconium test required under subdivisions (1) through (8). The designated laboratories shall perform a meconium test on each infant described in subdivision (1) to detect the presence of a controlled substance.
 (6) Subdivisions (1) through (7) do not prevent other facilities from conducting tests on infants to detect the presence of a controlled substance.
 (7) Each hospital and physician shall:
 (A) take or cause to be taken a meconium sample from every infant born under the hospital's and physician's care who meets the description under subdivision (1); and
 (B) transport or cause to be transported each meconium sample described in clause (A) to a laboratory designated under subdivision (5) to test for the presence of a controlled substance as required under subdivisions (1) through (7).
 (8) The state department of health shall continue to evaluate the program established under subdivisions (1) through (7). The state department of health shall report the results of the evaluation to the general assembly not later than January 30, 2002, and January 30, 2003. The general assembly shall use the results of the evaluation to determine whether to continue the testing program established under subdivisions (1) through (7).
 (9) The state department of health shall establish guidelines to carry out this program, including guidance to physicians, medical schools, and birthing centers as to the following:
 (A) Proper and timely sample collection and transportation under subdivision (7) of this appropriation.
 (B) Quality testing procedures at the laboratories designated under subdivision 5 of this appropriation.
 (C) Uniform reporting procedures.
 (D) Appropriate diagnosis and management of affected newborns and counseling and support programs for newborns' families.
 (10) A medically appropriate discharge of an infant may not be delayed due to the results of the test described in subdivision (1) or due to the pendency of the results of the test described in subdivision (1).

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|---|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | STATE CHRONIC DISEASES | | | |
| 2 | Personal Services | 91,741 | 91,741 | |
| 3 | Other Operating Expense | 444,775 | 444,775 | |
| 4 | | | | |
| 5 | At least \$82,560 of the above appropriations shall be for grants to community groups | | | |
| 6 | and organizations as provided in IC 16-46-7-8. | | | |
| 7 | | | | |
| 8 | WOMEN, INFANTS, AND CHILDREN SUPPLEMENT | | | |
| 9 | Total Operating Expense | 176,700 | 176,700 | |
| 10 | | | | |
| 11 | Notwithstanding IC 6-7-1-30.2, the above appropriations for the women, infants, and | | | |
| 12 | children supplement and maternal and child health supplement are the total appropriations | | | |
| 13 | provided for this purpose. | | | |
| 14 | | | | |
| 15 | MATERNAL AND CHILD HEALTH SUPPLEMENT | | | |
| 16 | Total Operating Expense | 176,700 | 176,700 | |
| 17 | CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER | | | |
| 18 | Total Operating Expense | 93,000 | 93,000 | |
| 19 | ADOPTION HISTORY | | | |
| 20 | Adoption History Fund (IC 31-19-18) | | | |
| 21 | Total Operating Expense | 172,170 | 172,170 | |
| 22 | Augmentation allowed. | | | |
| 23 | CHILDREN WITH SPECIAL HEALTH CARE NEEDS | | | |
| 24 | Total Operating Expense | 5,848,119 | 5,848,119 | |
| 25 | LOCAL HEALTH MAINTENANCE FUND | | | |
| 26 | Total Operating Expense | 2,400,000 | 2,400,000 | |
| 27 | | | | |
| 28 | The above appropriations for the local health maintenance fund include the appropriation | | | |
| 29 | provided for this purpose in IC 6-7-1-30.5. | | | |
| 30 | | | | |
| 31 | NEWBORN SCREENING PROGRAM | | | |
| 32 | Newborn Screening Fund (IC 16-41-17) | | | |
| 33 | Personal Services | 117,823 | 117,823 | |
| 34 | Other Operating Expense | 1,093,914 | 1,093,914 | |
| 35 | Augmentation allowed. | | | |
| 36 | INDIANA HEALTH CARE PROFESSIONAL RECRUITMENT AND RETENTION | | | |
| 37 | Indiana Medical and Nursing Grant Fund (IC 16-46-5) | | | |
| 38 | Total Operating Expense | 40,000 | 40,000 | |
| 39 | Augmentation allowed. | | | |
| 40 | RADON GAS TRUST FUND | | | |
| 41 | Radon Gas Trust Fund (IC 16-41-38-8) | | | |
| 42 | Total Operating Expense | 15,000 | 15,000 | |
| 43 | Augmentation allowed. | | | |
| 44 | BIRTH PROBLEMS REGISTRY | | | |
| 45 | Birth Problems Registry Fund (IC 16-38-4) | | | |
| 46 | Personal Services | 29,976 | 29,976 | |
| 47 | Other Operating Expense | 10,661 | 10,661 | |
| 48 | Augmentation allowed. | | | |
| 49 | MOTOR FUEL INSPECTION PROGRAM | | | |

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|---|---------------------------------------|---------------------------------------|-----------------------------------|
| Motor Fuel Inspection Fund (IC 16-44-3-10) | | | |
| Total Operating Expense | 80,313 | 80,313 | |
| Augmentation allowed. | | | |
| PROJECT RESPECT | | | |
| Total Operating Expense | 597,787 | 597,787 | |
| DONATED DENTAL SERVICES | | | |
| Total Operating Expense | 46,500 | 46,500 | |
| The above appropriation shall be used by the Indiana foundation for dentistry for the handicapped. | | | |
| OFFICE OF WOMEN'S HEALTH | | | |
| Total Operating Expense | 162,749 | 162,749 | |
| SILVERCREST CHILDREN'S DEVELOPMENT CENTER | | | |
| Personal Services | 6,774,075 | 6,774,075 | |
| Other Operating Expense | 660,595 | 660,595 | |
| SOLDIERS' AND SAILORS' CHILDREN'S HOME | | | |
| Personal Services | 8,854,535 | 8,854,535 | |
| Other Operating Expense | 1,152,667 | 1,152,667 | |
| INDIANA VETERANS' HOME | | | |
| From the General Fund | | | |
| | 12,515,923 | 12,736,091 | |
| From the Comfort - Welfare Fund | | | |
| | 9,292,152 | 9,292,152 | |
| The amounts specified from the General Fund and the Comfort-Welfare Fund are for the following purposes: | | | |
| Personal Services | 17,530,659 | 17,555,659 | |
| Other Operating Expense | 4,277,416 | 4,472,584 | |
| Subject to approval of the budget agency, any revenue accruing to the Silvercrest Children's Development Center and Soldiers' and Sailors' Children's Home from the receipt of Medicaid reimbursement may be used to augment the above appropriations. Any revenues not used for augmentation shall be deposited in the state general fund. | | | |
| FOR THE INDIANA SCHOOL FOR THE BLIND | | | |
| Personal Services | 9,635,103 | 9,635,103 | |
| Other Operating Expense | 728,554 | 728,554 | |
| FOR THE INDIANA SCHOOL FOR THE DEAF | | | |
| Personal Services | 15,748,129 | 15,748,129 | |
| Other Operating Expense | 1,439,925 | 1,439,925 | |
| FOR THE STATE BUDGET AGENCY | | | |
| TOBACCO-RELATED HEALTH PROGRAMS | | | |
| Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3) | | | |
| Total Operating Expense | 84,100,000 | 80,200,000 | |

1 Augmentation allowed.

2
3 The foregoing appropriations for tobacco-related health programs are available for
4 allocation by the legislature to the following programs: childrens' health insurance
5 program, tobacco use prevention and cessation, prescription drug program, community
6 health centers, local health maintenance, local health departments, tobacco farmers and
7 rural community impact, regional health facilities construction, newborn screening,
8 department of health, and the division of disability, aging, and rehabilitative services.
9 The foregoing appropriations for tobacco-related health programs are made notwithstanding
10 IC 4-12-1-14.3.

11
12 **C. VETERANS' AFFAIRS**

13
14 **FOR THE DEPARTMENT OF VETERANS' AFFAIRS**

| | | |
|--------------------------------------|---------|---------|
| 15 Personal Services | 620,693 | 620,693 |
| 16 Other Operating Expense | 216,564 | 216,564 |

17
18 The foregoing appropriations for the department of veterans' affairs include operating
19 funds for the veterans' cemetery. Notwithstanding IC 10-5-1-8, staff employed for
20 the operation and maintenance of the veterans' cemetery shall be selected as are
21 all other state employees.

22
23 **DISABLED AMERICAN VETERANS OF WORLD WARS**

| | | |
|--------------------------------------|--------|--------|
| 24 Total Operating Expense | 40,000 | 40,000 |
|--------------------------------------|--------|--------|

25 **AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM**

| | | |
|--------------------------------------|--------|--------|
| 26 Total Operating Expense | 30,000 | 30,000 |
|--------------------------------------|--------|--------|

27 **VETERANS OF FOREIGN WARS**

| | | |
|--------------------------------------|--------|--------|
| 28 Total Operating Expense | 30,000 | 30,000 |
|--------------------------------------|--------|--------|

29 **VIETNAM VETERANS OF AMERICA**

| | | |
|--------------------------------------|--|--------|
| 30 Total Operating Expense | | 20,000 |
|--------------------------------------|--|--------|

31
32 **SECTION 9. [EFFECTIVE JULY 1, 2003]**

33
34 **EDUCATION**

35
36 **A. HIGHER EDUCATION**

37
38 **FOR INDIANA UNIVERSITY**

39 **BLOOMINGTON CAMPUS**

| | | |
|--------------------------------------|-------------|-------------|
| 40 Total Operating Expense | 192,267,551 | 194,743,361 |
| 41 Fee Replacement | 16,146,719 | 16,303,973 |

42
43 **FOR INDIANA UNIVERSITY REGIONAL CAMPUSES**

44 **EAST**

| | | |
|--------------------------------------|-----------|-----------|
| 45 Total Operating Expense | 7,454,316 | 7,661,864 |
| 46 Fee Replacement | 1,804,606 | 1,812,830 |

47 **KOKOMO**

| | | |
|--------------------------------------|------------|------------|
| 48 Total Operating Expense | 10,124,012 | 10,273,219 |
| 49 Fee Replacement | 2,022,724 | 2,031,944 |

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|--|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | NORTHWEST | | | |
| 2 | Total Operating Expense | 17,450,303 | 17,565,295 | |
| 3 | Fee Replacement | 3,557,707 | 3,573,923 | |
| 4 | SOUTH BEND | | | |
| 5 | Total Operating Expense | 22,400,342 | 22,875,137 | |
| 6 | Fee Replacement | 5,427,781 | 5,452,521 | |
| 7 | SOUTHEAST | | | |
| 8 | Total Operating Expense | 18,918,665 | 19,385,121 | |
| 9 | Fee Replacement | 4,924,139 | 4,946,583 | |
| 10 | | | | |
| 11 | TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES | | | |
| 12 | | 94,084,595 | 95,578,437 | |
| 13 | | | | |
| 14 | FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY | | | |
| 15 | AT INDIANAPOLIS (IUPUI) | | | |
| 16 | HEALTH DIVISIONS | | | |
| 17 | Total Operating Expense | 88,574,003 | 90,032,173 | |
| 18 | Fee Replacement | 3,462,881 | 3,482,543 | |
| 19 | | | | |
| 20 | FOR INDIANA UNIVERSITY - REGIONAL MEDICAL CENTERS | | | |
| 21 | EVANSVILLE REGIONAL MEDICAL CENTER | | | |
| 22 | Total Operating Expense | 1,495,601 | 1,520,223 | |
| 23 | FORT WAYNE REGIONAL MEDICAL CENTER | | | |
| 24 | Total Operating Expense | 1,375,858 | 1,398,508 | |
| 25 | NORTHWEST REGIONAL MEDICAL CENTER | | | |
| 26 | Total Operating Expense | 1,954,595 | 1,986,773 | |
| 27 | LAFAYETTE REGIONAL MEDICAL CENTER | | | |
| 28 | Total Operating Expense | 1,744,752 | 1,773,475 | |
| 29 | MUNCIE REGIONAL MEDICAL CENTER | | | |
| 30 | Total Operating Expense | 1,568,815 | 1,594,642 | |
| 31 | SOUTH BEND REGIONAL MEDICAL CENTER | | | |
| 32 | Total Operating Expense | 1,454,889 | 1,478,841 | |
| 33 | TERRE HAUTE REGIONAL MEDICAL CENTER | | | |
| 34 | Total Operating Expense | 1,734,542 | 1,763,097 | |
| 35 | | | | |
| 36 | The Indiana University school of medicine shall submit to the Indiana commission | | | |
| 37 | for higher education before May 15 of each year an accountability report containing | | | |
| 38 | data on the number of medical school graduates who entered primary care physician | | | |
| 39 | residencies in Indiana from the school's most recent graduating class. | | | |
| 40 | | | | |
| 41 | GENERAL ACADEMIC DIVISIONS | | | |
| 42 | Total Operating Expense | 86,048,114 | 87,777,172 | |
| 43 | Fee Replacement | 16,208,181 | 16,300,205 | |
| 44 | | | | |
| 45 | TOTAL APPROPRIATIONS - IUPUI | | | |
| 46 | | 205,622,231 | 209,107,652 | |
| 47 | | | | |
| 48 | Transfers of allocations between campuses to correct for errors in allocation among | | | |
| 49 | the campuses of Indiana University can be made by the institution with the approval | | | |

of the commission for higher education and the budget agency. Indiana University shall maintain current operations at all statewide medical education sites.

FOR INDIANA UNIVERSITY

ABILENE NETWORK OPERATIONS CENTER

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 879,034 | 887,824 |
|-------------------------|---------|---------|

SPINAL CORD AND HEAD INJURY RESEARCH CENTER

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 509,630 | 514,726 |
|-------------------------|---------|---------|

DIVISION OF LABOR STUDIES IN CONTINUING EDUCATION

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 385,342 | 389,195 |
|-------------------------|---------|---------|

OPTOMETRY BOARD EDUCATION FUND

| | | |
|-------------------------|--------|-------|
| Total Operating Expense | 29,000 | 1,500 |
|-------------------------|--------|-------|

CHEMICAL TEST TRAINING

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 692,535 | 699,460 |
|-------------------------|---------|---------|

INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 2,615,617 | 2,641,773 |
|-------------------------|-----------|-----------|

GEOLOGICAL SURVEY

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 3,275,268 | 3,308,021 |
|-------------------------|-----------|-----------|

INDUSTRIAL RESEARCH LIAISON PROGRAM

| | | |
|-------------------------|---------|---------|
| Total Operating Expense | 268,779 | 271,467 |
|-------------------------|---------|---------|

LOCAL GOVERNMENT ADVISORY COMMISSION

| | | |
|-------------------------|--------|--------|
| Total Operating Expense | 59,697 | 60,294 |
|-------------------------|--------|--------|

FOR PURDUE UNIVERSITY

WEST LAFAYETTE

| | | |
|-------------------------|-------------|-------------|
| Total Operating Expense | 234,094,073 | 238,401,532 |
| Fee Replacement | 21,271,920 | 17,632,498 |

FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES

CALUMET

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 26,827,677 | 27,088,798 |
| Fee Replacement | 1,935,321 | 1,935,778 |

NORTH CENTRAL

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 10,137,594 | 10,371,166 |
| Fee Replacement | 1,468,004 | 0 |

TOTAL APPROPRIATION - PURDUE UNIVERSITY REGIONAL CAMPUSES

| | |
|------------|------------|
| 40,368,596 | 39,395,742 |
|------------|------------|

FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY

AT FORT WAYNE (IUPUFW)

| | | |
|-------------------------|------------|------------|
| Total Operating Expense | 32,362,263 | 33,351,138 |
| Fee Replacement | 3,683,717 | 3,331,188 |

Transfers of allocations between campuses to correct for errors in allocation among the campuses of Purdue University can be made by the institution with the approval of the commission for higher education and the budget agency.

FOR PURDUE UNIVERSITY

1 ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM

| | | |
|----------------------------------|------------------|------------------|
| 2 Total Operating Expense | 3,353,629 | 3,387,165 |
|----------------------------------|------------------|------------------|

3

4 The above appropriations shall be used to fund the animal disease diagnostic laboratory
5 system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease
6 testing service at West Lafayette, and the southern branch of ADDL Southern Indiana
7 Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are
8 in addition to any user charges that may be established and collected under IC 15-2.1-5-6.
9 Notwithstanding IC 15-2.1-5-5, the trustees of Purdue University may approve reasonable
10 charges for testing for pseudorabies.

11

12 STATEWIDE TECHNOLOGY

| | | |
|-----------------------------------|------------------|------------------|
| 13 Total Operating Expense | 5,880,601 | 5,939,407 |
|-----------------------------------|------------------|------------------|

14 COUNTY AGRICULTURAL EXTENSION EDUCATORS

| | | |
|-----------------------------------|------------------|------------------|
| 15 Total Operating Expense | 7,638,115 | 7,714,496 |
|-----------------------------------|------------------|------------------|

16 AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS

| | | |
|-----------------------------------|------------------|------------------|
| 17 Total Operating Expense | 7,642,714 | 7,719,141 |
|-----------------------------------|------------------|------------------|

18 CENTER FOR PARALYSIS RESEARCH

| | | |
|-----------------------------------|----------------|----------------|
| 19 Total Operating Expense | 508,005 | 513,085 |
|-----------------------------------|----------------|----------------|

20 UNIVERSITY-BASED BUSINESS ASSISTANCE

| | | |
|-----------------------------------|------------------|------------------|
| 21 Total Operating Expense | 1,183,565 | 1,195,401 |
|-----------------------------------|------------------|------------------|

22 NORTH CENTRAL - VALPO NURSING PARTNERSHIP

| | | |
|-----------------------------------|----------------|----------------|
| 23 Total Operating Expense | 106,088 | 107,149 |
|-----------------------------------|----------------|----------------|

24

25 FOR INDIANA STATE UNIVERSITY

| | | |
|-----------------------------------|-------------------|-------------------|
| 26 Total Operating Expense | 78,601,709 | 79,419,001 |
|-----------------------------------|-------------------|-------------------|

| | | |
|---------------------------|------------------|------------------|
| 27 Fee Replacement | 6,549,325 | 6,549,470 |
|---------------------------|------------------|------------------|

28

29 FOR UNIVERSITY OF SOUTHERN INDIANA

| | | |
|-----------------------------------|-------------------|-------------------|
| 30 Total Operating Expense | 32,131,848 | 33,528,295 |
|-----------------------------------|-------------------|-------------------|

| | | |
|---------------------------|------------------|------------------|
| 31 Fee Replacement | 5,862,166 | 5,859,415 |
|---------------------------|------------------|------------------|

32 HISTORIC NEW HARMONY

| | | |
|-----------------------------------|----------------|----------------|
| 33 Total Operating Expense | 383,028 | 386,858 |
|-----------------------------------|----------------|----------------|

34 YOUNG ABE LINCOLN

| | | |
|-----------------------------------|----------------|----------------|
| 35 Total Operating Expense | 256,518 | 259,083 |
|-----------------------------------|----------------|----------------|

36

37 FOR BALL STATE UNIVERSITY

| | | |
|-----------------------------------|--------------------|--------------------|
| 38 Total Operating Expense | 123,036,616 | 125,399,847 |
|-----------------------------------|--------------------|--------------------|

| | | |
|---------------------------|------------------|------------------|
| 39 Fee Replacement | 8,093,255 | 8,094,555 |
|---------------------------|------------------|------------------|

40 ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES

| | | |
|-----------------------------------|------------------|------------------|
| 41 Total Operating Expense | 4,512,210 | 4,557,332 |
|-----------------------------------|------------------|------------------|

42

43 FOR VINCENNES UNIVERSITY

| | | |
|-----------------------------------|-------------------|-------------------|
| 44 Total Operating Expense | 33,370,364 | 34,516,906 |
|-----------------------------------|-------------------|-------------------|

| | | |
|---------------------------|------------------|------------------|
| 45 Fee Replacement | 2,666,455 | 2,669,550 |
|---------------------------|------------------|------------------|

46

47 FOR IVY TECH STATE COLLEGE

| | | |
|-----------------------------------|--------------------|--------------------|
| 48 Total Operating Expense | 118,145,111 | 125,807,936 |
|-----------------------------------|--------------------|--------------------|

| | | |
|---------------------------|------------------|-------------------|
| 49 Fee Replacement | 8,997,210 | 10,262,578 |
|---------------------------|------------------|-------------------|

Of the above appropriations for IVY TECH total operating expense, \$135,000 each year shall be used for the Community Learning Center in Portage.

FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 7,963,022 | 8,034,652 |
|--------------------------------|------------------|------------------|

The sums herein appropriated to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of said institutions and IHETS, respectively, from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived. Of the above appropriation, \$800,000 per year is for the Web Academy.

All such income and all such fees, earnings, and receipts on hand June 30, 2003, and all such income and fees, earnings, and receipts accruing thereafter are hereby appropriated to the boards of trustees or directors of the aforementioned institutions and IHETS and may be expended for any necessary expenses of the respective institutions and IHETS, including university hospitals, schools of medicine, nurses' training schools, schools of dentistry, and agricultural extension and experimental stations. However, such income, fees, earnings, and receipts may be used for land and structures only if approved by the governor and the budget agency.

The foregoing appropriations and allocations for fee replacement are for replacement of student fees deducted during the 2003-2005 biennium to cover bond or lease-purchase principal, interest, and other obligations of debt costs of facility construction and acquisition for those projects authorized by the general assembly. These fee replacement appropriations and allocations shall be allotted by the budget agency after receipt of verification of payment of such debt cost expense.

The foregoing appropriations to Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, Ivy Tech State College, and IHETS include the employers' share of Social Security payments for university and IHETS employees under the public employees' retirement fund, or institutions covered by the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for each institution and for IHETS employees covered by these retirement plans.

The treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, Vincennes University, and Ivy Tech State College shall, at the end of each three (3) month period, prepare and file with the auditor of state a financial statement that shall show in total all revenues received from any source, together with a consolidated statement of disbursements for the same period. The budget director shall establish the requirements for the form and substance of the reports.

The reports of the treasurer also shall contain in such form and in such detail as the governor and the budget agency may specify, complete information concerning receipts from all sources, together with any contracts, agreements, or arrangements with any federal agency, private foundation, corporation, or other entity from which such receipts accrue.

All such treasurers' reports are matters of public record and shall include without limitation a record of the purposes of any and all gifts and trusts with the sole exception of the names of those donors who request to remain anonymous.

Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers of Indiana University, Purdue University, Indiana State University, University of Southern Indiana, Ball State University, and Ivy Tech State College on the basis of vouchers stating the total amount claimed against each fund and/or account, but not to exceed the legally made appropriations.

Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or in part by state funds, grant applications and lists of applications need only be submitted upon request to the budget agency for review and approval or disapproval and, unless disapproved by the budget agency, federal grant funds may be requested and spent without approval by the budget agency. Each institution shall retain the applications for a reasonable period of time and submit a list of all grant applications, at least monthly, to the commission for higher education for informational purposes.

For all university special appropriations, an itemized list of intended expenditures, in such form as the governor and the budget agency may specify, shall be submitted to support the allotment request. All budget requests for university special appropriations shall be furnished in a like manner and as a part of the operating budgets of the state universities.

The trustees of Indiana University, the trustees of Purdue University, the trustees of Indiana State University, the trustees of University of Southern Indiana, the trustees of Ball State University, the trustees of Vincennes University, the trustees of Ivy Tech State College, and the directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

Fee replacement funds are to be distributed as requested by each institution, on payment due dates, subject to available appropriations.

**FOR THE MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND**

| | | |
|-------------------------|-----------|-----------|
| Total Operating Expense | 2,419,130 | 2,443,321 |
|-------------------------|-----------|-----------|

Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

MEDICAL EDUCATION - INTERN RESIDENCY PROGRAM

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|--|---------------------------------------|---------------------------------------|-----------------------------------|
| Total Operating Expense | 1 | 1 | |
| FOR THE COMMISSION FOR HIGHER EDUCATION | | | |
| Total Operating Expense | 1,478,533 | 1,478,533 | |
| INDIANA CAREER AND POSTSECONDARY ADVANCEMENT CENTER | | | |
| Total Operating Expense | 866,094 | 866,094 | |
| FOR THE DEPARTMENT OF ADMINISTRATION | | | |
| ANIMAL DISEASE DIAGNOSTIC LABORATORY LEASE RENTAL | | | |
| Total Operating Expense | 1,045,975 | 1,044,934 | |
| FOR THE STATE BUDGET AGENCY | | | |
| GIGAPOP PROJECT | | | |
| Total Operating Expense | 782,406 | 790,230 | |
| SOUTH CENTRAL EDUCATIONAL ALLIANCE | | | |
| BEDFORD SERVICE AREA | | | |
| Total Operating Expense | 301,839 | 304,857 | |
| SOUTHEAST INDIANA EDUCATION SERVICES | | | |
| Total Operating Expense | 798,353 | 806,337 | |
| The above appropriation for southeast Indiana education services may be expended with the approval of the budget agency after review by the commission for higher education and the budget committee. | | | |
| DEGREE LINK | | | |
| Total Operating Expense | 538,038 | 543,418 | |
| The above appropriations shall be used for the delivery of Indiana State University baccalaureate degree programs at Ivy Tech State College and Vincennes University locations through Degree Link. Distributions shall be made upon the recommendation of the Indiana commission for higher education and with approval by the budget agency after review by the budget committee. | | | |
| WORKFORCE CENTERS | | | |
| Total Operating Expense | 900,000 | 909,000 | |
| The distribution of total university operating and line item appropriations for the 2003-2004 fiscal year to Indiana University, Purdue University, Indiana State University, Ball State University, the University of Southern Indiana, Vincennes University, Ivy Tech State College, the Indiana Higher Education Telecommunications System (IHETS), the Indiana commission for higher education (ICHE), and the budget agency includes one-twelfth (1/12) of the calculated amounts appropriated for fiscal year 2002-2003 by P.L. 291-2001, as adjusted by P.L. 178-2002 and budget agency implementation of the deficit management plan, and eleven-twelfths (11/12) of the appropriations for fiscal year 2003-04. | | | |
| The distribution of total university operating and line item appropriations for the 2004-2005 fiscal year to Indiana University, Purdue University, Indiana State University, Ball State University, the University of Southern Indiana, Vincennes | | | |

University, Ivy Tech State College, IHETS, ICHE, and the budget agency includes one- twelfth (1/12) of the amount appropriated for fiscal year 2003-2004 and eleven- twelfths (11/12) of the amount appropriated for fiscal year 2004-2005.

FOR THE STATE STUDENT ASSISTANCE COMMISSION

| | | |
|---------------------------------------|------------|------------|
| Total Operating Expense | 1,266,044 | 1,266,044 |
| FREEDOM OF CHOICE GRANTS | | |
| Total Operating Expense | 30,977,000 | 32,477,000 |
| HIGHER EDUCATION AWARD PROGRAM | | |
| Total Operating Expense | 83,902,536 | 94,780,027 |
| NURSING SCHOLARSHIP PROGRAM | | |
| Total Operating Expense | 402,142 | 402,142 |
| HOOSIER SCHOLAR PROGRAM | | |
| Total Operating Expense | 400,000 | 400,000 |

For the higher education awards and freedom of choice grants made for the 2003-2005 biennium, the following guidelines shall be used, notwithstanding current administrative rule or practice:

- (1) Financial Need: For purposes of these awards, financial need shall be limited to actual undergraduate tuition and fees for the prior academic year as established by the commission.
- (2) Maximum Base Award: The maximum award shall not exceed the lesser of:
 - (A) eighty percent (80%) of actual prior academic year undergraduate tuition and fees; or
 - (B) eighty percent (80%) of the sum of the highest prior academic year undergraduate tuition and fees at any public institution of higher education and the lowest appropriation per full-time equivalent (FTE) undergraduate student at any public institution of higher education.
- (3) Minimum Award: No actual award shall be less than \$200.
- (4) Award Size: A student's maximum award shall be reduced one (1) time:
 - (A) for dependent students, by the expected contribution from parents based upon information submitted on the financial aid application form; and
 - (B) for independent students, by the expected contribution derived from information submitted on the financial aid application form.
- (5) Award Adjustment: The maximum base award may be adjusted by the commission, for any eligible recipient who fulfills college preparation requirements defined by the commission.
- (6) Adjustment: If the dollar amounts of eligible awards exceed appropriations and program reserves, all awards may be adjusted by the commission by reducing the maximum award under subdivision (2)(A) or (2)(B).

For the Hoosier scholar program for the 2003-2005 biennium, each award shall not exceed five hundred dollars (\$500) and shall be made available for one (1) year only. Receipt of this award shall not reduce any other award received under any state funded student assistance program.

STATUTORY FEE REMISSION

| | | |
|--------------------------------|------------|------------|
| Total Operating Expense | 13,859,865 | 16,741,402 |
| PART-TIME GRANT PROGRAM | | |

1 **Total Operating Expense**

5,250,000

5,250,000

2
3 **Priority for awards made from the above appropriation shall be given first to eligible**
4 **students meeting TANF income eligibility guidelines as determined by the family and**
5 **social services administration and second to eligible students who received awards**
6 **from the part time grant fund during the 2002-2003 school year. Funds remaining**
7 **shall be distributed according to procedures established by the commission. The maximum**
8 **grant that an applicant may receive for a particular academic term shall be established**
9 **by the commission but shall in no case be greater than a grant for which an applicant**
10 **would be eligible under IC 20-12-21 if the applicant were a full-time student. The**
11 **commission shall collect and report to the family and social services administration**
12 **(FSSA) all data required for FSSA to meet the data collection and reporting requirements**
13 **in 45 CFR Part 265.**

14
15 **The Family and social services administration, division of family and children shall**
16 **apply all qualifying expenditures for the part time grant program toward Indiana's**
17 **maintenance of effort under the federal Temporary Assistance to Needy Families (TANF)**
18 **program (45 CFR 260 et seq.).**

19
20 **CONTRACT FOR INSTRUCTIONAL OPPORTUNITIES IN SOUTHEASTERN INDIANA**

21 **Total Operating Expense**

603,407

603,407

22 **MINORITY TEACHER SCHOLARSHIP FUND**

23 **Total Operating Expense**

399,768

399,768

24 **COLLEGE WORK STUDY PROGRAM**

25 **Total Operating Expense**

805,189

805,189

26 **21ST CENTURY ADMINISTRATION**

27 **Total Operating Expense**

2,586,443

5,086,443

28 **21ST CENTURY SCHOLAR AWARDS**

29 **Total Operating Expense**

15,996,500

18,402,449

30 **Augmentation for 21st Century Scholar Awards allowed from the General Fund.**

31
32 **The commission shall collect and report to the family and social services administration**
33 **(FSSA) all data required for FSSA to meet the data collection and reporting requirements**
34 **in 45 CFR Part 265.**

35
36 **Family and social services, division of family and children shall apply all qualifying**
37 **expenditures for the 21st century scholars program toward Indiana's maintenance of**
38 **effort under the federal Temporary Assistance to Needy Families (TANF) program (45**
39 **CFR 260 et seq.)**

40
41 **NATIONAL GUARD SCHOLARSHIP**

42 **Total Operating Expense**

2,714,478

3,033,730

43
44 **The above appropriations for national guard scholarship and any program reserves**
45 **existing on June 30, 2003, shall be the total allowable state expenditure for the**
46 **program in the 2003-2005 biennium. If the dollar amounts of eligible awards exceed**
47 **appropriations and program reserves, the state student assistance commission shall**
48 **develop a plan to insure that the total dollar amount does not exceed the above appropriations**
49 **and any program reserves.**

B. ELEMENTARY AND SECONDARY EDUCATION

**FOR THE DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION**

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 3,152,112 | 3,152,112 |
|--------------------------------|------------------|------------------|

The foregoing appropriations for the Indiana state board of education are for the education roundtable established by IC 20-1-20.5-3; for the academic standards project to distribute copies of the academic standards and provide teachers with curriculum frameworks; for special evaluation and research projects including national and international assessments; and for state board and roundtable administrative expenses.

SUPERINTENDENT'S OFFICE

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 678,154 | 678,154 |
| Other Operating Expense | 1,518,002 | 1,518,002 |

PUBLIC TELEVISION DISTRIBUTION

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 2,357,563 | 2,357,563 |
|--------------------------------|------------------|------------------|

These appropriations are for grants for public television. The Indiana Public Broadcasting Stations, Inc. shall submit a distribution plan for the 9 Indiana public education television stations that shall be approved by the budget agency and reviewed by the budget committee. The above appropriation includes the costs of transmission for the "GED-on-TV" program. Of the above appropriations, \$100,000 each year shall be distributed equally among the eight radio stations.

RESEARCH AND DEVELOPMENT PROGRAMS

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 88,499 | 88,499 |
| Other Operating Expense | 275,615 | 275,615 |

Of the foregoing appropriations for Research and Development Programs, \$100,000 each year shall be used for the Indiana University Education Policy Center.

DEPUTY SUPERINTENDENT'S OFFICE

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 415,649 | 415,649 |
| Other Operating Expense | 145,716 | 145,716 |

RILEY HOSPITAL

| | | |
|--------------------------------|---------------|---------------|
| Total Operating Expense | 27,900 | 27,900 |
|--------------------------------|---------------|---------------|

ADMINISTRATION AND FINANCIAL MANAGEMENT

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 2,132,994 | 2,132,994 |
| Other Operating Expense | 313,816 | 313,816 |

MOTORCYCLE OPERATOR SAFETY EDUCATION FUND

Safety Education Fund (IC 20-10.1-7-14)

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 119,353 | 119,353 |
| Other Operating Expense | 901,708 | 901,708 |

The foregoing appropriations for the motorcycle operator safety education fund are from the motorcycle operator safety education fund created by IC 20-10.1-7-14.

SCHOOL TRAFFIC SAFETY

Motor Vehicle Highway Account (IC 8-14-1)

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 216,678 | 216,678 |
| Other Operating Expense | 42,311 | 42,311 |

Augmentation allowed.

CENTER FOR SCHOOL ASSESSMENT

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 295,106 | 295,106 |
| Other Operating Expense | 759,136 | 759,136 |

ACCREDITATION SYSTEM

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 461,992 | 461,992 |
| Other Operating Expense | 512,010 | 512,010 |

SPECIAL EDUCATION (S-5)

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 30,000,000 | 30,000,000 |
|--------------------------------|-------------------|-------------------|

The foregoing appropriations for special education are made under IC 20-1-6-19.

CENTER FOR COMMUNITY RELATIONS AND SPECIAL POPULATIONS

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 258,099 | 258,099 |
| Other Operating Expense | 61,805 | 61,805 |

SPECIAL EDUCATION EXCISE

Alcoholic Beverage Excise Tax Funds (IC 20-1-6-10)

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 330,332 | 330,332 |
|--------------------------|----------------|----------------|

Augmentation allowed.

GED-ON-TV PROGRAM

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 229,500 | 229,500 |
|--------------------------------|----------------|----------------|

The foregoing appropriation is for grants to provide GED-ON-TV programming. The GED-ON-TV Program shall submit for review by the budget committee an annual report on utilization of this appropriation.

VOCATIONAL EDUCATION

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 1,303,194 | 1,303,194 |
| Other Operating Expense | 78,783 | 78,783 |

ADVANCED PLACEMENT PROGRAM

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 930,000 | 930,000 |
|--------------------------------|----------------|----------------|

The above appropriations for the Advanced Placement program are to provide funding for students of accredited public and nonpublic schools.

PSAT PROGRAM

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 744,000 | 744,000 |
|--------------------------------|----------------|----------------|

The above appropriations for the PSAT program are to provide funding for students of accredited public and nonpublic schools.

CENTER FOR SCHOOL IMPROVEMENT AND PERFORMANCE

| | | |
|--------------------------------|------------------|------------------|
| Personal Services | 1,728,746 | 1,728,746 |
| Other Operating Expense | 992,586 | 992,586 |

PRINCIPAL LEADERSHIP ACADEMY

| | | |
|--------------------------------|----------------|----------------|
| Personal Services | 326,637 | 326,637 |
| Other Operating Expense | 151,224 | 151,224 |

EDUCATION SERVICE CENTERS

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 1,721,287 | 1,721,287 |
|--------------------------------|------------------|------------------|

No appropriation made for an education service center shall be distributed to the administering school corporation of the center unless each participating school corporation of the center contracts to pay to the center at least three dollars (\$3) per student for fiscal year 2003-2004 based on the school corporation's ADM count as reported for school aid distribution in the fall of 2002, and at least three dollars (\$3) per student for fiscal year 2004-2005, based on the school corporation's ADM count as reported for school aid distribution beginning in the fall of 2003. Before notification of education service centers of the formula and components of the formula for distributing funds for education service centers, review and approval of the formula and components must be made by the budget agency.

TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE CHILDREN IN MENTAL HEALTH FACILITIES)

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 199,950 | 199,950 |
|--------------------------------|----------------|----------------|

The foregoing appropriations for transfer tuition (state employees' children and eligible children in mental health facilities) are made under IC 20-8.1-6.1-6 and IC 20-8.1-6.1-5.

TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 2,403,792 | 2,403,792 |
|--------------------------------|------------------|------------------|

The foregoing appropriations shall be distributed by the department of education on a monthly basis and in approximately equal payments to special education cooperatives, area vocational schools, and other governmental entities that received state teachers' Social Security distributions for certified education personnel (excluding the certified education personnel funded through federal grants) during the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units under the Indiana state teacher's retirement fund, the amount they received during the 2002-2003 state fiscal year for teachers' retirement. If the total amount to be distributed is greater than the total appropriation, the department of education shall reduce each entity's distribution proportionately.

DISTRIBUTION FOR TUITION SUPPORT

General Fund

| | | |
|--------------------------------|----------------------|----------------------|
| Total Operating Expense | 2,006,826,280 | 2,088,092,946 |
|--------------------------------|----------------------|----------------------|

Property Tax Replacement Fund (IC 6-1.1-21)

| | | |
|--------------------------------|----------------------|----------------------|
| Total Operating Expense | 1,555,023,720 | 1,536,057,054 |
|--------------------------------|----------------------|----------------------|

Tobacco Master Settlement

Agreement Fund (IC 4-12-1-14.3)

| | | |
|--------------------------------|--------------------|--------------------|
| Total Operating Expense | 100,000,000 | 100,000,000 |
|--------------------------------|--------------------|--------------------|

The foregoing appropriations for distribution for tuition support are to be distributed

for tuition support, special education programs, vocational education programs, at-risk programs, honors grants, and the primetime program in accordance with a statute enacted for this purpose during the 2003 session of the general assembly. The above appropriations from the Tobacco Master Settlement Fund are made notwithstanding IC 4-12-1-14.3.

If the above appropriations for distribution for tuition support are more than are required under this SECTION, one-half (1/2) of any excess shall revert to the state general fund and one-half (1/2) of any excess shall revert to the property tax replacement fund.

The above appropriations for tuition support shall be made each calendar year under a schedule set by the budget agency and approved by the governor. However, the schedule shall provide for at least twelve (12) payments, that one (1) payment shall be made at least every forty (40) days, and the aggregate of the payments in each calendar year shall equal the amount required under the statute enacted for the purpose referred to above.

DISTRIBUTION FOR TRANSPORTATION

| | | |
|-------------------------|------------|---|
| Total Operating Expense | 11,997,909 | 0 |
|-------------------------|------------|---|

The distributions for transportation shall be made to each local school corporation in accordance with IC 21-3-3.1 and any pertinent rules.

ADA FLAT GRANT DISTRIBUTION

| | | |
|-------------------------|------------|---|
| Total Operating Expense | 17,927,299 | 0 |
|-------------------------|------------|---|

Distribution to local school corporations shall be based on average daily attendance. The foregoing appropriations for the ADA flat grant distribution account include the appropriation of the common school fund interest balance. The remainder of the above appropriations are provided from the state general fund.

DISTRIBUTION FOR SUMMER SCHOOL

| | | |
|-------------------------|------------|------------|
| Other Operating Expense | 18,360,000 | 18,360,000 |
|-------------------------|------------|------------|

It is the intent of the 2003 general assembly that the above appropriations for summer school shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for that state fiscal year, then the department of education shall reduce the distributions proportionately.

EARLY INTERVENTION PROGRAM

| | | |
|-------------------------|-----------|-----------|
| Personal Services | 13,000 | 13,000 |
| Other Operating Expense | 3,707,000 | 3,707,000 |

The above appropriations for the early intervention program are for grants to local school corporations for grant proposals for early intervention programs, including reading recovery and the Waterford method.

READING DIAGNOSTIC ASSESSMENT

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 1,000,000 | 1,000,000 |
|--------------------------------|------------------|------------------|

The foregoing appropriations shall be used by the department for the reading diagnostic assessment and subsequent remedial programs or activities. The reading diagnostic assessment program, as approved by the board, is to be made available on a voluntary basis to all Indiana public and non-public school first and second grade students upon the approval of the governing body of school corporations. The board shall determine how the funds will be distributed for the assessment and related remediation. The department or its representative shall provide progress reports on the assessment as requested by the board and the education roundtable.

ADULT EDUCATION DISTRIBUTION

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 14,000,000 | 14,000,000 |
|--------------------------------|-------------------|-------------------|

It is the intent of the 2003 general assembly that the above appropriations for adult education shall be the total allowable state expenditure for such program. Therefore, if the expected disbursements are anticipated to exceed the total appropriation for a state fiscal year, the department of education shall reduce the distributions proportionately.

NATIONAL SCHOOL LUNCH PROGRAM

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 5,168,289 | 5,400,000 |
|--------------------------------|------------------|------------------|

MARION COUNTY DESEGREGATION COURT ORDER

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 18,200,000 | 18,200,000 |
|--------------------------------|-------------------|-------------------|

The foregoing appropriations for court ordered desegregation costs are made pursuant to order No. IP 68-C-225-S of the United States District Court for the Southern District of Indiana. If the sums herein appropriated are insufficient to enable the state to meet its obligations, then there are hereby appropriated from the state general fund such further sums as may be necessary for such purpose.

TEXTBOOK REIMBURSEMENT

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 19,900,000 | 19,900,000 |
|--------------------------------|-------------------|-------------------|

Before a school corporation or an accredited non-public school may receive a distribution under the textbook reimbursement program, the school corporation or accredited non-public school shall provide to the department the requirements established in IC 20-8.1-9-2. The department shall provide to the family and social services administration (FSSA) all data required for FSSA to meet the data collection reporting requirement in 45 CFR Part 265. Family and social services, division of family and children, shall apply all qualifying expenditures for the textbook reimbursement program toward Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families (TANF) program (45 CFR 260 et seq.)

TRANSPORTATION FOR SPECIAL AND VOCATIONAL EDUCATION

| | | |
|--------------------------------|------------------|----------|
| Total Operating Expense | 4,450,050 | 0 |
|--------------------------------|------------------|----------|

The distribution of these appropriations shall be made in accordance with IC 21-3-3.1.

1 **FULL DAY KINDERGARTEN**

| | | |
|----------------------------------|------------------|------------------|
| 2 Total Operating Expense | 8,500,000 | 8,500,000 |
|----------------------------------|------------------|------------------|

3

4 The above appropriations for full-day kindergarten are available to a school corporation
5 that applies to the department of education for funding of full day kindergarten.

6 The amount available to a school corporation equals the amount appropriated divided
7 by the statewide total ADM (as defined in IC 21-3-1.6-1.1) for the current year,
8 and then multiplied by school corporation's ADM (as defined in IC 21-3-1.6-1.1) for
9 the current year. A school corporation that is awarded a grant must provide to the
10 department of education a financial report stating how the funds were spent. Any
11 unspent funds at the end of the biennium must be returned to the state by the school
12 corporation.

13

14 **TESTING/REMEDICATION**

| | | |
|-----------------------------------|-------------------|-------------------|
| 15 Other Operating Expense | 31,410,450 | 31,410,450 |
|-----------------------------------|-------------------|-------------------|

16

17 Prior to notification of local school corporations of the formula and components
18 of the formula for distributing funds for remediation, review and approval of the
19 formula and components shall be made by the budget agency. With the approval of the
20 governor and the budget agency, the above appropriations for school assessment testing/remediation
21 may be augmented from revenues accruing to the secondary market sale fund established
22 by IC 20-12-21.2-10.

23

24 The above appropriation for Testing/Remediation shall be used by school corporations
25 to provide remediation programs for students who attend public and nonpublic schools.
26 For purposes of tuition support, these students are not to be counted in the average
27 daily membership.

28

29 **GRADUATION EXAM REMEDIATION**

| | | |
|-----------------------------------|------------------|------------------|
| 30 Other Operating Expense | 4,958,910 | 4,958,910 |
|-----------------------------------|------------------|------------------|

31

32 Prior to notification of local school corporations of the formula and components
33 of the formula for distributing funds for graduation exam remediation, review and
34 approval of the formula and components shall be made by the budget agency. With
35 the approval of the governor and the budget agency, the above appropriations for
36 school assessment testing/remediation may be augmented from revenues accruing to
37 the secondary market sale fund established by IC 20-12-21.2-10.

38

39 **SPECIAL EDUCATION PRESCHOOL**

| | | |
|-----------------------------------|-------------------|-------------------|
| 40 Total Operating Expense | 27,173,300 | 27,173,300 |
|-----------------------------------|-------------------|-------------------|

41

42 The above appropriations shall be distributed to guarantee a minimum of \$2,750 per
43 child enrolled in special education preschool programs from state and local sources
44 in school corporations that levy a \$0.01 per \$100 assessed valuation tax rate for
45 this purpose. It is the intent of the 2003 general assembly that the above appropriations
46 for special education preschool shall be the total allowable expenditure for such
47 program. Therefore, if the expected disbursements are anticipated to exceed the total
48 appropriation for that state fiscal year, then the department of education shall
49 reduce the distributions proportionately.

NON-ENGLISH SPEAKING PROGRAM

| | | |
|--------------------------------|----------------|----------------|
| Other Operating Expense | 700,000 | 700,000 |
|--------------------------------|----------------|----------------|

The above appropriations for the non-English speaking program are for pupils who have a primary language other than English and limited English proficiency, as determined by using a standard proficiency examination that has been approved by the department of education.

The grant amount is seventy-five dollars (\$75) per pupil. It is the intent of the 2003 general assembly that the above appropriations for the non-English speaking program shall be the total allowable state expenditure for the program. If the expected distributions are anticipated to exceed the total appropriations for the state fiscal year, the department of education shall reduce each school corporation's distribution proportionately.

GIFTED AND TALENTED EDUCATION PROGRAM

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 180,906 | 180,906 |
|--------------------------|----------------|----------------|

| | | |
|--------------------------------|------------------|------------------|
| Other Operating Expense | 5,649,354 | 5,649,354 |
|--------------------------------|------------------|------------------|

DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION

| | | |
|--------------------------------|----------------|----------------|
| Total Operating Expense | 250,000 | 250,000 |
|--------------------------------|----------------|----------------|

The distribution for adult vocational education programs shall be made in accordance with the state plan for vocational education.

PRIMETIME

| | | |
|--------------------------|----------------|----------------|
| Personal Services | 169,291 | 169,291 |
|--------------------------|----------------|----------------|

| | | |
|--------------------------------|---------------|---------------|
| Other Operating Expense | 34,467 | 34,467 |
|--------------------------------|---------------|---------------|

DRUG FREE SCHOOLS

| | | |
|--------------------------|---------------|---------------|
| Personal Services | 51,137 | 51,137 |
|--------------------------|---------------|---------------|

| | | |
|--------------------------------|---------------|---------------|
| Other Operating Expense | 20,093 | 20,093 |
|--------------------------------|---------------|---------------|

PROFESSIONAL DEVELOPMENT DISTRIBUTION

| | | |
|--------------------------------|-------------------|-------------------|
| Other Operating Expense | 13,812,500 | 13,812,500 |
|--------------------------------|-------------------|-------------------|

ALTERNATIVE SCHOOLS

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 6,375,000 | 6,375,000 |
|--------------------------------|------------------|------------------|

The board is to submit recommendations to the budget committee for review before May 1, 2004, for implementation in state fiscal year 2004-2005.

**EDUCATIONAL TECHNOLOGY PROGRAM AND FUND
(INCLUDING 4R'S TECHNOLOGY GRANT PROGRAM)**

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 1,100,000 | 1,100,000 |
|--------------------------------|------------------|------------------|

In making grants under the educational technology program, the department shall give consideration to a variety of educational technologies and to enhancing educational productivity. Of the foregoing appropriations, an amount shall be allocated for the development of community networks and information networks and the operation of the office of the special assistant to the superintendent of public

instruction for technology. Expenditures from this fund shall be made only with the approval of the governor and the superintendent of public instruction.

**FOR THE INDIANA STATE TEACHERS' RETIREMENT FUND
POSTRETIREMENT PENSION INCREASES**

| | | |
|-------------------------|------------|------------|
| Other Operating Expense | 39,229,000 | 36,532,000 |
|-------------------------|------------|------------|

The appropriations for postretirement pension increases are made for those benefits and adjustments provided in IC 21-6.1-6 and IC 5-10.2-5.

TEACHERS' RETIREMENT FUND DISTRIBUTION

General Fund

| | | |
|-------------------------|-------------|-------------|
| Other Operating Expense | 266,300,000 | 310,300,000 |
|-------------------------|-------------|-------------|

Augmentation allowed.

If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefit payments is greater than the above appropriations for pension fund contributions, after notice to the governor and the budget agency of the deficiency, the above appropriations shall be augmented from the state general fund. If the amount actually required under the pre-1996 account of the teachers' retirement fund for actual benefit payments for a year is less than the above appropriations for pension fund contributions for the year, the excess shall be transferred to the pension stabilization fund established by IC 21-6.1-2-8.

The board of the teachers' retirement fund shall transfer \$190,000,000 in each of fiscal year 2003-2004 and fiscal year 2004-2005 from the pension stabilization fund (IC 21-6.1-2) to the teachers' retirement fund (IC 21-6.1-2).

FOR THE PROFESSIONAL STANDARDS BOARD - ADMINISTRATION

| | | |
|-------------------|-----------|-----------|
| Personal Services | 2,172,556 | 2,168,448 |
|-------------------|-----------|-----------|

| | | |
|-------------------------|-----------|-----------|
| Other Operating Expense | 4,633,968 | 4,638,076 |
|-------------------------|-----------|-----------|

Each mentor teacher is entitled to a maximum annual stipend of \$600 to be paid from the foregoing appropriations.

There is created the professional standards board licensing fund to be administered by the professional standards board. The fund shall consist of fee revenues collected under the provisions of IC 20-1-1.4-7. Money in the fund does not revert at the end of the state fiscal year. Money in the fund is continuously appropriated for use by the board for administrative expenses in relation to carrying out its duties under the provisions of IC 20-1-1.4-7.

The above appropriations for professional standards board administration are in addition to the appropriation made to the professional standards licensing fund established in this SECTION.

C. OTHER EDUCATION

FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD

| | | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|--|---------------------------------------|---------------------------------------|-----------------------------------|
| 1 | Personal Services | 682,944 | 682,944 | |
| 2 | Other Operating Expense | 41,838 | 41,838 | |
| 3 | PUBLIC EMPLOYEE RELATIONS BOARD | | | |
| 4 | Total Operating Expense | 32,550 | 32,550 | |
| 5 | | | | |
| 6 | FOR THE STATE LIBRARY | | | |
| 7 | Personal Services | 2,690,045 | 2,690,045 | |
| 8 | Other Operating Expense | 752,550 | 752,550 | |
| 9 | DISTRIBUTION TO PUBLIC LIBRARIES | | | |
| 10 | Other Operating Expense | 607,936 | 607,936 | |
| 11 | | | | |
| 12 | The foregoing appropriations for distribution to public libraries shall be distributed | | | |
| 13 | among the public libraries of the state of Indiana under IC 4-23-7.1. However, a | | | |
| 14 | public library district that does not provide for the issuance of library cards free | | | |
| 15 | of charge or for a fee to all individuals who reside in the county in which that | | | |
| 16 | public library district is located shall not be considered an eligible public library | | | |
| 17 | district in determining the amounts to be distributed under IC 4-23-7.1 and is not | | | |
| 18 | entitled to a distribution under IC 4-23-7.1. | | | |
| 19 | | | | |
| 20 | INDIANA COOPERATIVE LIBRARY SERVICES AUTHORITY | | | |
| 21 | Total Operating Expense | 2,408,848 | 2,408,848 | |
| 22 | ACADEMY OF SCIENCE | | | |
| 23 | Total Operating Expense | 8,811 | 8,811 | |
| 24 | | | | |
| 25 | FOR THE ARTS COMMISSION | | | |
| 26 | Personal Services | 320,866 | 320,866 | |
| 27 | Other Operating Expense | 3,296,471 | 3,296,471 | |
| 28 | | | | |
| 29 | FOR THE HISTORICAL BUREAU | | | |
| 30 | Personal Services | 364,618 | 364,618 | |
| 31 | Other Operating Expense | 16,902 | 16,902 | |
| 32 | HISTORICAL MARKER PROGRAM | | | |
| 33 | Total Operating Expense | 17,500 | 17,500 | |
| 34 | | | | |
| 35 | FOR THE COMMISSION ON PROPRIETARY EDUCATION | | | |
| 36 | Personal Services | 389,349 | 389,349 | |
| 37 | Other Operating Expense | 37,175 | 37,175 | |
| 38 | | | | |
| 39 | SECTION 10. [EFFECTIVE JULY 1, 2003] | | | |
| 40 | | | | |
| 41 | DISTRIBUTIONS | | | |
| 42 | | | | |
| 43 | FOR THE PROPERTY TAX REPLACEMENT FUND BOARD | | | |
| 44 | Property Tax Replacement Fund (IC 6-1.1-21) | | | |
| 45 | Total Operating Expense | 1,928,549,699 | 2,029,734,638 | |
| 46 | | | | |
| 47 | Adjustments may be made to this appropriation under IC 6-1.1-21-4. | | | |
| 48 | | | | |
| 49 | FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION | | | |

WELFARE TAX LEVY REPLACEMENT FUND

From the General Fund

| | | |
|--------------------------------|-------------------|-------------------|
| Total Operating Expense | 27,522,204 | 27,522,204 |
|--------------------------------|-------------------|-------------------|

From Excise and Financial Institution Taxes

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 6,063,529 | 6,063,529 |
|--------------------------------|------------------|------------------|

Augmentation allowed.

From Child Support Collections

| | | |
|--------------------------------|------------------|------------------|
| Total Operating Expense | 2,000,000 | 2,000,000 |
|--------------------------------|------------------|------------------|

Augmentation allowed.

SECTION 11. [EFFECTIVE JULY 1, 2003]

The following allocations of federal funds are available for vocational and technical education under the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2301, et seq. for Vocational and Technical Education) (20 U.S.C. 2371 for Tech Prep Education). These funds shall be received by the department of workforce development, commission on vocational and technical education, and shall be allocated by the budget agency after consultation with the commission on vocational and technical education, the department of education, the commission for higher education, and the department of correction. Funds shall be allocated to these agencies in accordance with the allocations specified below:

ADMINISTRATION

| | |
|----------------|----------------|
| 494,923 | 494,923 |
|----------------|----------------|

STATE PROGRAMS AND LEADERSHIP

| | |
|------------------|------------------|
| 2,664,322 | 2,664,322 |
|------------------|------------------|

SECONDARY VOCATIONAL PROGRAMS

| | |
|-------------------|-------------------|
| 14,931,111 | 14,931,111 |
|-------------------|-------------------|

POSTSECONDARY VOCATIONAL PROGRAMS

| | |
|------------------|------------------|
| 8,552,863 | 8,552,863 |
|------------------|------------------|

TECHNOLOGY - PREPARATION EDUCATION

| | |
|------------------|------------------|
| 2,499,812 | 2,499,812 |
|------------------|------------------|

CAREER RESOURCE NETWORK STATE GRANTS

| | |
|----------------|----------------|
| 150,963 | 150,963 |
|----------------|----------------|

SECTION 12. [EFFECTIVE JULY 1, 2003]

- (a) There is allocated out of funds made available to Indiana under Section 903 of the Social Security Act, as amended by section 209 of the Temporary Extended Unemployment Compensation Act, one hundred sixty million dollars (\$160,000,000) to the department of workforce development for 10 years.
- (b) Money allocated under this SECTION is subject to the requirement if IC 22-4-37-1.
- (c) Money allocated under this SECTION may be used for the following purposes:
 - (1) The administration of the unemployment insurance (UI) program and the Wagner Peyser public employment office program.
 - (2) Acquiring land and erecting buildings for the use of the department of workforce development.
 - (3) Improvements, facilities, paving, landscaping, and fixing equipment as may be required by the department of workforce development.

(d) In accordance with the requirement of paragraphs (a) through (c), the department of workforce development is authorized to allocate up to the following amounts from the amount described in subsection (a) for the following purposes:

(1) Fifty million dollars (\$50,000,000) to be used for the modernization of the Unemployment Insurance (UI) system.

(2) Fifty million dollars (\$50,000,000) for the JOBS proposal to meet the workforce needs of Hoosier employers in high wage, high skill, high demand occupations.

(3) Sixty million dollars (\$60,000,000) to provide Hoosier workers with thirteen (13) additional weeks of state funded UI benefits in order to combat the adverse nature of long-term unemployment, resructure the base period requirements to allow earlier qualification for UI benefits, and to increase the percentage of wage credits used to calculate UI benefits.

SECTION 13. [EFFECTIVE JULY 1, 2003]

In accordance with IC 20-1-18.3, the budget agency, with the advice of the commission on vocational and technical education and the budget committee, may augment or reduce an allocation of federal funds made under SECTION 11 of this act.

SECTION 14. [EFFECTIVE JULY 1, 2003]

Utility bills for the month of June, travel claims covering the period June 16 to June 30, payroll for the period of the last half of June, any interdepartmental bills for supplies or services for the month of June, and any other miscellaneous expenses incurred during the period June 16 to June 30 shall be charged to the appropriation for the succeeding year. No interdepartmental bill shall be recorded as a refund of expenditure to any current year allotment account for supplies or services rendered or delivered at any time during the preceding June period.

SECTION 15. [EFFECTIVE JULY 1, 2003]

The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation with the Indiana department of administration, may fix the amount of reimbursement for traveling expenses (other than transportation) for travel within the limits of Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred. A person in travel status, as defined by the state travel policies and procedures established by the Indiana department of administration and the budget agency, is entitled to a meal allowance not to exceed during any twenty-four (24) hour period the standard meal allowances established by the federal Internal Revenue Service.

All appropriations provided by this act or any other statute, for traveling and hotel expenses for any department, officer, agent, employee, person, trustee, or commissioner, are to be used only for travel within the state of Indiana, unless those expenses are incurred in traveling outside the state of Indiana on trips that previously have received approval as required by the state travel policies and procedures established by the Indiana department of administration and the budget agency. With the required approval, a reimbursement for out-of-state travel expenses may be granted in an amount not to exceed actual lodging and miscellaneous expenses incurred. A person in travel status is entitled to a meal allowance not to exceed during any twenty-four (24)

hour period the standard meal allowances established by the federal Internal Revenue Service for properly approved travel within the continental United States and a minimum of \$50 during any twenty-four (24) hour period for properly approved travel outside the continental United States. However, while traveling in Japan, the minimum meal allowance shall not be less than \$90 for any twenty-four (24) hour period. While traveling in Korea and Taiwan, the minimum meal allowance shall not be less than \$85 for any twenty-four (24) hour period; while traveling in Singapore, China, Great Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not be less than \$65 for any twenty-four (24) hour period.

In the case of the state supported institutions of postsecondary education, approval for out-of-state travel may be given by the chief executive officer of the institution, or the chief executive officer's authorized designee, for the chief executive officer's respective personnel.

Before reimbursing overnight travel expenses, the auditor of state shall require documentation as prescribed in the state travel policies and procedures established by the Indiana department of administration and the budget agency. No appropriation from any fund may be construed as authorizing the payment of any sum in excess of the standard mileage rates for personally owned transportation equipment established by the federal Internal Revenue Service when used in the discharge of state business. The Indiana department of administration and the budget agency may adopt policies and procedures relative to the reimbursement of travel and moving expenses of new state employees and the reimbursement of travel expenses of prospective employees who are invited to interview with the state.

SECTION 16. [EFFECTIVE JULY 1, 2003]

Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions, and councils who are entitled to a salary per diem is \$50 per day. However, members of boards, commissions, or councils who receive an annual or a monthly salary paid by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.

SECTION 17. [EFFECTIVE JULY 1, 2003]

No payment for personal services shall be made by the auditor of state unless the payment has been approved by the budget agency or the designee of the budget agency.

SECTION 18. [EFFECTIVE JULY 1, 2003]

No warrant for operating expenses, capital outlay, or fixed charges shall be issued to any department or an institution unless the receipts of the department or institution have been deposited into the state treasury for the month. However, if a department or an institution has more than \$10,000 in daily receipts, the receipts shall be deposited into the state treasury daily.

SECTION 19. [EFFECTIVE JULY 1, 2003]

In case of loss by fire or any other cause involving any state institution or department,

1 the proceeds derived from the settlement of any claim for the loss shall be deposited
2 in the state treasury, and the amount deposited is hereby reappropriated to the institution
3 or department for the purpose of replacing the loss. If it is determined that the
4 loss shall not be replaced, any funds received from the settlement of a claim shall
5 be deposited into the state general fund.

6
7 **SECTION 20. [EFFECTIVE JULY 1, 2003]**
8

9 If an agency has computer equipment in excess of the needs of that agency, then the
10 excess computer equipment may be sold under the provisions of surplus property sales,
11 and the proceeds of the sale or sales shall be deposited in the state treasury. The
12 amount so deposited is hereby reappropriated to that agency for other operating expenses
13 of the then current year, if approved by the director of the budget agency.

14
15 **SECTION 21. [EFFECTIVE JULY 1, 2003]**
16

17 If any state penal or benevolent institution other than the Indiana state prison,
18 Pendleton correctional facility, or Putnamville correctional facility shall, in the
19 operation of its farms, produce products, or commodities in excess of the needs of
20 the institution, the surplus may be sold through the division of industries and farms,
21 the director of the supply division of the Indiana department of administration,
22 or both. The proceeds of any such sale or sales shall be deposited in the state treasury.
23 The amount deposited is hereby reappropriated to the institution for expenses of
24 the then current year if approved by the director of the budget agency. The exchange
25 between state penal and benevolent institutions of livestock for breeding purposes
26 only is hereby authorized at valuations agreed upon between the superintendents or
27 wardens of the institutions. Capital outlay expenditures may be made from the institutional
28 industries and farms revolving fund if approved by the budget agency and the governor.

29
30 **SECTION 22. [EFFECTIVE JULY 1, 2003]**
31

32 This act does not authorize any rehabilitation and repairs to any state buildings,
33 nor does it allow that any obligations be incurred for lands and structures, without
34 the prior approval of the budget director or the director's designee. This SECTION
35 does not apply to contracts for the construction or maintenance of roads and bridges,
36 to the acquisition of rights-of-way for roads or bridges, or to the state universities
37 supported in whole or in part by state funds.

38
39 **SECTION 23. [EFFECTIVE JULY 1, 2003]**
40

41 If an agency has an annual appropriation fixed by law, and if the agency also receives
42 an appropriation in this act for the same function or program, the appropriation
43 in this act supersedes any other appropriations and is the total appropriation for
44 the agency for that program or function.

45
46 **SECTION 24. [EFFECTIVE JULY 1, 2003]**
47

48 The balance of any appropriation or funds heretofore placed or remaining to the credit
49 of any division of the state of Indiana, and any appropriation or funds provided

1 in this act placed to the credit of any division of the state of Indiana, the powers,
2 duties, and functions whereof are assigned and transferred to any department for
3 salaries, maintenance, operation, construction, or other expenses in the exercise
4 of such powers, duties, and functions, shall be transferred to the credit of the
5 department to which such assignment and transfer is made, and the same shall be available
6 for the objects and purposes for which appropriated originally.

7
8 **SECTION 25. [EFFECTIVE JULY 1, 2003]**
9

10 The director of the division of procurement of the Indiana department of administration,
11 or any other person or agency authorized to make purchases of equipment, shall not
12 honor any requisition for the purchase of an automobile that is to be paid for from
13 any appropriation made by this act or any other act, unless the following facts are
14 shown to the satisfaction of the commissioner of the department of administration
15 or the commissioner's designee.

16 (1) In the case of an elected state officer, it shall be shown that the duties of
17 the office require driving about the state of Indiana in the performance of official
18 duty.

19 (2) In the case of department or commission heads, it shall be shown that the statutory
20 duties imposed in the discharge of the office require traveling a greater distance
21 than one thousand (1,000) miles each month or that they are subject to official duty
22 call at all times.

23 (3) In the case of employees, it shall be shown that the major portion of the duties
24 assigned to the employee require travel on state business in excess of one thousand
25 (1,000) miles each month, or that the vehicle is identified by the agency as an integral
26 part of the job assignment. In computing the number of miles required to be driven
27 by a department head or an employee, the distance between the individual's home and
28 office or designated official station is not to be considered as a part of the total.
29 Department heads shall annually submit justification for the continued assignment
30 of each vehicle in their department, which shall be reviewed by the commissioner
31 of the Indiana department of administration, or the commissioner's designee. There
32 shall be an insignia permanently affixed on each side of all state owned cars, designating
33 the cars as being state owned. However, this requirement does not apply to state
34 owned cars driven by elected state officials or to cases where the commissioner of
35 the Indiana department of administration or the commissioner's designee determines
36 that affixing insignia on state owned cars would hinder or handicap the persons driving
37 the cars in the performance of their official duties.

38
39 **SECTION 26. [EFFECTIVE JULY 1, 2003]**
40

41 When budget agency approval or review is required under this act, the budget agency
42 may refer to the budget committee any budgetary or fiscal matter for an advisory
43 recommendation. The budget committee may hold hearings and take any actions authorized
44 by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

45
46 **SECTION 27. [EFFECTIVE JULY 1, 2003]**
47

48 The governor of the state of Indiana is solely authorized to accept on behalf of
49 the state any and all federal funds available to the state of Indiana. Federal funds

received under this SECTION are appropriated for purposes specified by the federal government, subject to allotment by the budget agency. The provisions of this SECTION and all other SECTIONS concerning the acceptance, disbursement, review, and approval of any grant, loan, or gift made by the federal government or any other source to the state or its agencies and political subdivisions shall apply, notwithstanding any other law.

SECTION 28. [EFFECTIVE JULY 1, 2003]

Federal funds received as revenue by a state agency or department are not available to the agency or department for expenditure until allotment has been made by the budget agency under IC 4-12-1-12(d).

SECTION 29. [EFFECTIVE JULY 1, 2003]

A contract or an agreement for personal services or other services may not be entered into by any agency or department of state government without the approval of the budget agency or the designee of the budget director. Each demand for payment submitted by the agency or department to the auditor of state by claim voucher under such contracts or agreements shall be accompanied by a copy of the budget agency approval, or approval of any agency to whom the budget agency delegated signature authority, and no payment shall be made by the auditor of state without such approval. This SECTION does not apply to any contract entered into by an agency or department of state government that is the result of a public works project contract under IC 4-13.6.

SECTION 30. [EFFECTIVE JULY 1, 2003]

Except in those cases where a specific appropriation has been made to cover the payments for any of the following, the auditor of state shall transfer, from the personal services appropriations for each of the various agencies and departments, necessary payments for Social Security, public employees' retirement, health insurance, life insurance, and any other similar payments directed by the budget agency.

SECTION 31. [EFFECTIVE JULY 1, 2003]

Subject to SECTION 30 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2003-2005 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 32. [EFFECTIVE JULY 1, 2002 (RETROACTIVE)]

The following appropriation is made for FY 2002-2003 in addition to those found in P.L. 291-2001:

(a) From the General Fund
Distribution for Tuition Support \$16,700,000

SECTION 33. [EFFECTIVE JULY 1, 2003]

CONSTRUCTION

For the 2003-2005 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals and the purchase and sale of land, including equipment for such properties.

| | |
|--|--------------------|
| State General Fund - Lease Rentals | |
| | 243,281,368 |
| State General Fund - Construction | |
| | 149,088,890 |
| State Police Building Commission Fund (IC 9-1-2-1.5) | |
| | 3,000,000 |
| Law Enforcement Academy Building Fund (IC 5-2-1-13) | |
| | 841,000 |
| Cigarette Tax Fund (IC 6-7-1-29.1) | |
| | 3,700,000 |
| Soldiers' and Sailors' Children's Home Construction Fund (IC 16-33-4-10) | |
| | 1,000,000 |
| Indiana Heritage Trust Fund (IC 14-12-2-25) | |
| | 5,000,000 |
| Veterans' Home Construction Fund (IC 10-6-1-9) | |
| | 4,382,331 |
| Post War Construction Fund (IC 7.1-4-8-1) | |
| | 38,100,341 |
| Industry and Farm Products Revolving Fund (IC 11-10-6-6) | |
| | 3,252,207 |
| TOTAL | 451,646,137 |

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

A. GENERAL GOVERNMENT

FOR THE STATE BUDGET AGENCY

| | |
|------------------------------------|-----------|
| Health and Safety Contingency Fund | 1,600,000 |
| Qualitech Lease Payment | 7,675,516 |
| Heartland Steel Lease Payment | 3,238,181 |

DEPARTMENT OF ADMINISTRATION - PROJECTS

| | |
|---------------------------|-----------|
| Preventive Maintenance | 4,811,020 |
| Repair and Rehabilitation | 4,000,000 |

DEPARTMENT OF ADMINISTRATION - LEASES

| | |
|---------------------------------------|------------|
| IDOA Parking Facilities Capital Lease | 13,222,641 |
| Indiana Government Center North | 32,486,999 |
| Indiana Government Center South | 33,882,357 |

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|--|---------------------------------------|-----------------------------------|
| 1 | Indiana State Museum | | 12,566,639 |
| 2 | Wabash Valley Correctional Facility | | 28,251,175 |
| 3 | Rockville Correctional Facility | | 8,665,153 |
| 4 | Miami Correctional Facility | | 30,434,507 |
| 5 | Pendleton Juvenile Correctional Facility | | 9,416,207 |
| 6 | New Castle Correctional Facility | | 18,466,230 |
| 7 | | | |
| 8 | B. PUBLIC SAFETY | | |
| 9 | | | |
| 10 | (1) LAW ENFORCEMENT | | |
| 11 | | | |
| 12 | INDIANA STATE POLICE | | |
| 13 | State Police Building Commission Fund (IC 9-1-2-1.5) | | |
| 14 | Preventive Maintenance | | 1,080,050 |
| 15 | Repair and Rehabilitation | | 1,919,950 |
| 16 | | | |
| 17 | LAW ENFORCEMENT TRAINING BOARD | | |
| 18 | Law Enforcement Academy Building Fund (IC 5-2-1-13) | | |
| 19 | Preventive Maintenance | | 353,000 |
| 20 | Repair and Rehabilitation | | 488,000 |
| 21 | ADJUTANT GENERAL | | |
| 22 | Preventive Maintenance | | 250,000 |
| 23 | Repair and Rehabilitation | | 1,637,900 |
| 24 | | | |
| 25 | (2) CORRECTIONS | | |
| 26 | | | |
| 27 | DEPARTMENT OF CORRECTION - PROJECTS | | |
| 28 | Repair and Rehabilitation | | 516,735 |
| 29 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 30 | Repair and Rehabilitation | | 1,350,000 |
| 31 | CORRECTIONAL UNITS | | |
| 32 | Preventive Maintenance | | 420,000 |
| 33 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 34 | Repair and Rehabilitation | | 10,526,935 |
| 35 | STATE PRISON | | |
| 36 | Preventive Maintenance | | 1,161,322 |
| 37 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 38 | Repair and Rehabilitation | | 5,008,595 |
| 39 | PENDLETON CORRECTIONAL FACILITY | | |
| 40 | Preventive Maintenance | | 996,396 |
| 41 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 42 | Repair and Rehabilitation | | 2,710,103 |
| 43 | WOMEN'S PRISON | | |
| 44 | Preventive Maintenance | | 273,000 |
| 45 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 46 | Repair and Rehabilitation | | 3,375,000 |
| 47 | NEW CASTLE CORRECTIONAL FACILITY | | |
| 48 | Preventive Maintenance | | 660,660 |
| 49 | PUTNAMVILLE CORRECTIONAL FACILITY | | |

| | <i>FY 2003-2004 Appropriation</i> | <i>FY 2004-2005 Appropriation</i> | <i>Biennial Appropriation</i> |
|----|--|---------------------------------------|-----------------------------------|
| 1 | Preventive Maintenance | | 843,022 |
| 2 | Repair and Rehabilitation | | 295,713 |
| 3 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 4 | Repair and Rehabilitation | | 1,896,230 |
| 5 | PLAINFIELD JUVENILE CORRECTIONAL FACILITY | | |
| 6 | Preventive Maintenance | | 543,947 |
| 7 | Repair and Rehabilitation | | 5,136,800 |
| 8 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 9 | Repair and Rehabilitation | | 979,788 |
| 10 | INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY | | |
| 11 | Preventive Maintenance | | 325,146 |
| 12 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 13 | Repair and Rehabilitation | | 1,544,500 |
| 14 | BRANCHVILLE CORRECTIONAL FACILITY | | |
| 15 | Preventive Maintenance | | 344,870 |
| 16 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 17 | Repair and Rehabilitation | | 394,650 |
| 18 | WESTVILLE CORRECTIONAL FACILITY | | |
| 19 | Preventive Maintenance | | 1,191,891 |
| 20 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 21 | Repair and Rehabilitation | | 2,878,365 |
| 22 | ROCKVILLE CORRECTIONAL FACILITY | | |
| 23 | Preventive Maintenance | | 344,870 |
| 24 | PLAINFIELD CORRECTIONAL FACILITY | | |
| 25 | Preventive Maintenance | | 575,751 |
| 26 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 27 | Repair and Rehabilitation | | 2,321,800 |
| 28 | RECEPTION-DIAGNOSTIC CENTER | | |
| 29 | Preventive Maintenance | | 216,472 |
| 30 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 31 | Preventive Maintenance | | 814,280 |
| 32 | PEN PRODUCTS | | |
| 33 | Industry and Farm Products Revolving Fund (IC 11-10-6-6) | | |
| 34 | Preventive Maintenance | | 110,292 |
| 35 | Modification of CIF Food Processing Plt. | | 3,141,915 |
| 36 | CORRECTIONAL INDUSTRIAL FACILITY | | |
| 37 | Preventive Maintenance | | 520,023 |
| 38 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 39 | Repair and Rehabilitation | | 1,057,700 |
| 40 | WORK RELEASE CENTERS | | |
| 41 | Preventive Maintenance | | 100,732 |
| 42 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 43 | Repair and Rehabilitation | | 70,480 |
| 44 | WABASH VALLEY CORRECTIONAL FACILITY | | |
| 45 | Preventive Maintenance | | 833,560 |
| 46 | Post War Construction Fund (IC 7.1-4-8-1) | | |
| 47 | Repair and Rehabilitation | | 3,171,915 |
| 48 | MIAMI CORRECTIONAL FACILITY | | |
| 49 | Preventive Maintenance | | 521,400 |

| | | |
|----|---|------------|
| 1 | PENDLETON JUVENILE CORRECTIONAL FACILITY | |
| 2 | Preventive Maintenance | 364,000 |
| 3 | | |
| 4 | C. CONSERVATION AND ENVIRONMENT | |
| 5 | | |
| 6 | DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION | |
| 7 | Repair and Rehabilitation | 1,000,000 |
| 8 | FISH AND WILDLIFE | |
| 9 | Preventive Maintenance | 1,810,863 |
| 10 | Repair and Rehabilitation | 3,372,000 |
| 11 | FORESTRY | |
| 12 | Preventive Maintenance | 1,884,200 |
| 13 | Repair and Rehabilitation | 5,119,650 |
| 14 | HISTORIC SITES | |
| 15 | Preventive Maintenance | 331,586 |
| 16 | Repair and Rehabilitation | 2,000,000 |
| 17 | NATURE PRESERVES | |
| 18 | Preventive Maintenance | 109,200 |
| 19 | Repair and Rehabilitation | 1,093,000 |
| 20 | OUTDOOR RECREATION | |
| 21 | Preventive Maintenance | 33,306 |
| 22 | Repair and Rehabilitation | 575,000 |
| 23 | STATE PARKS AND RESERVOIR MANAGEMENT | |
| 24 | Preventive Maintenance | 1,562,774 |
| 25 | Repair and Rehabilitation | 31,800,000 |
| 26 | Cigarette Tax Fund (IC 6-7-1-29.1) | |
| 27 | Preventive Maintenance | 3,700,000 |
| 28 | Indiana Heritage Trust Fund (IC 14-12-2-25) | |
| 29 | Repair and Rehabilitation | 5,000,000 |
| 30 | DIVISION OF WATER | |
| 31 | Preventive Maintenance | 315,000 |
| 32 | Repair and Rehabilitation | 925,000 |
| 33 | ENFORCEMENT | |
| 34 | Preventive Maintenance | 207,480 |
| 35 | Repair and Rehabilitation | 500,000 |
| 36 | STATE MUSEUM | |
| 37 | Preventive Maintenance | 600,000 |
| 38 | OIL AND GAS | |
| 39 | Oil&Gas - Partnership Programs | 200,000 |
| 40 | ENTOMOLOGY | |
| 41 | Repair and Rehabilitation | 200,000 |
| 42 | MAUMEE RIVER BASIN COMMISSION | |
| 43 | PHASE II FLOOD CONTROL MASTER PLAN | 75,000 |
| 44 | WAR MEMORIALS COMMISSION | |
| 45 | Preventive Maintenance | 1,421,494 |
| 46 | Repair and Rehabilitation | 2,754,503 |
| 47 | | |
| 48 | D. ECONOMIC DEVELOPMENT | |
| 49 | | |

1 **DEPARTMENT OF COMMERCE**

2 **Airport Facilities Lease**

40,513,245

3 **Aviation Technology**

1,971,330

4

5 **E. TRANSPORTATION**

6

7 **AIRPORT DEVELOPMENT**

8 **Airport Development**

1,000,000

9

10 The foregoing allocation for the Indiana department of transportation is for airport
 11 development and shall be used for the purpose of assisting local airport authorities
 12 and local units of government in matching available federal funds under the airport
 13 improvement program and for matching federal grants for airport planning and for
 14 the other airport studies. Matching grants of aid shall be made in accordance with
 15 the approved annual capital improvements program of the Indiana department of
 16 transportation and with the approval of the governor and the budget agency.

17

18 **F. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

19

20 **(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION**

21

22 **FSSA CONSTRUCTION**

23 **Repair and Rehabilitation**

4,904,468

24 **EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER**

25 **Preventive Maintenance**

45,632

26 **Repair and Rehabilitation**

50,000

27 **EVANSVILLE STATE HOSPITAL**

28 **Preventive Maintenance**

756,756

29 **Repair and Rehabilitation**

1,629,450

30 **MADISON STATE HOSPITAL**

31 **Preventive Maintenance**

971,409

32 **Repair and Rehabilitation**

1,049,110

33 **LOGANSPOUT STATE HOSPITAL**

34 **Preventive Maintenance**

963,144

35 **Repair and Rehabilitation**

4,697,361

36 **RICHMOND STATE HOSPITAL**

37 **Preventive Maintenance**

1,210,724

38 **Repair and Rehabilitation**

1,050,400

39 **LARUE CARTER MEMORIAL HOSPITAL**

40 **Preventive Maintenance**

1,484,134

41 **Repair and Rehabilitation**

1,500,000

42 **FORT WAYNE STATE DEVELOPMENTAL CENTER**

43 **Preventive Maintenance**

1,424,803

44 **Repair and Rehabilitation**

3,000,000

45 **MUSCATATUCK STATE DEVELOPMENTAL CENTER**

46 **Preventive Maintenance**

1,257,449

47 **Repair and Rehabilitation**

1,000,000

48

49 **(2) PUBLIC HEALTH**

| | | | |
|----|---|--|------------|
| 1 | | | |
| 2 | DEPARTMENT OF HEALTH | | |
| 3 | Preventive Maintenance | | 130,000 |
| 4 | SILVERCREST CHILDREN'S DEVELOPMENT CENTER | | |
| 5 | Preventive Maintenance | | 161,140 |
| 6 | SCHOOL FOR THE BLIND | | |
| 7 | Preventive Maintenance | | 565,714 |
| 8 | Repair and Rehabilitation | | 2,750,000 |
| 9 | SCHOOL FOR THE DEAF | | |
| 10 | Preventive Maintenance | | 553,120 |
| 11 | Repair and Rehabilitation | | 2,881,907 |
| 12 | SOLDIERS' AND SAILORS' CHILDREN'S HOME | | |
| 13 | Preventive Maintenance | | 350,446 |
| 14 | Repair and Rehabilitation | | 1,730,000 |
| 15 | Soldiers' and Sailors' Children's Home Construction Fund (IC 16-33-4-10) | | |
| 16 | Repair and Rehabilitation | | 1,000,000 |
| 17 | | | |
| 18 | (3) VETERANS' AFFAIRS | | |
| 19 | | | |
| 20 | INDIANA VETERANS' HOME | | |
| 21 | Veterans' Home Construction Fund (IC 10-6-1-9) | | |
| 22 | Preventive Maintenance | | 697,331 |
| 23 | Repair and Rehabilitation | | 3,685,000 |
| 24 | | | |
| 25 | G. EDUCATION | | |
| 26 | | | |
| 27 | HIGHER EDUCATION | | |
| 28 | | | |
| 29 | INDIANA UNIVERSITY - TOTAL SYSTEM | | |
| 30 | General Repair and Rehab | | 10,466,860 |
| 31 | PURDUE UNIVERSITY - TOTAL SYSTEM | | |
| 32 | General Repair and Rehab | | 8,305,775 |
| 33 | INDIANA STATE UNIVERSITY | | |
| 34 | General Repair and Rehab | | 2,061,338 |
| 35 | UNIVERSITY OF SOUTHERN INDIANA | | |
| 36 | General Repair and Rehab | | 400,414 |
| 37 | BALL STATE UNIVERSITY | | |
| 38 | General Repair and Rehab | | 2,621,019 |
| 39 | VINCENNES UNIVERSITY | | |
| 40 | General Repair and Rehab | | 1,004,205 |
| 41 | IVY TECH STATE COLLEGE | | |
| 42 | General Repair and Rehab | | 736,826 |
| 43 | | | |
| 44 | SECTION 34. [EFFECTIVE UPON PASSAGE] | | |
| 45 | | | |
| 46 | Notwithstanding the provisions of P.L. 291 - 2001, any part of the appropriations for the | | |
| 47 | 2001-2003 biennium for the personal services/fringe benefits contingency fund or the | | |
| 48 | employee recruitment and retention fund in excess of \$30,000,000 that remains on | | |
| 49 | June 30, 2003 does not revert to the state general fund, but remains available for | | |

1 expenditure.

2
3 **SECTION 35. [EFFECTIVE JULY 1, 2003]**

4
5 **The budget agency may employ one (1) or more architects or engineers to inspect**
6 **construction, rehabilitation, and repair projects covered by the appropriations in**
7 **this act or previous acts designated in this act.**

8
9 **SECTION 36. [EFFECTIVE JULY 1, 2003]**

10
11 **If any part of a construction or rehabilitation and repair appropriation made by**
12 **this act or any previous acts has not been allotted or encumbered before the expiration**
13 **of two (2) biennia, the budget agency may determine that the balance of the appropriation**
14 **is not available for allotment. The appropriation may be terminated and the balance**
15 **may revert to the fund from which the original appropriation was made.**

16
17 **SECTION 37. [EFFECTIVE UPON PASSAGE]**

18
19 **The budget agency may retain balances in the mental health fund at the end of any**
20 **fiscal year to ensure there are sufficient funds to meet appropriations for state**
21 **developmental centers in any subsequent year.**

22
23 **SECTION 38. [EFFECTIVE JULY 1, 2003]**

24
25 **If the budget director makes a determination at any time during either fiscal year of the**
26 **biennium that the executive branch of state government cannot meet its statutory**
27 **obligations due to insufficient funds in the state general fund, then notwithstanding**
28 **IC 4-10-18, the budget agency, with the approval of the governor and after review by the**
29 **budget committee, may transfer from the counter-cyclical revenue and economic**
30 **stabilization fund to the state general fund an amount necessary to maintain a positive**
31 **balance in the state general fund.**

32
33 **SECTION 39. IC 4-15-1.8-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON**
34 **PASSAGE]: Sec. 7. (a) The department shall do the following:**

- 35 (1) Develop personnel policies, methods, procedures, and standards for all state agencies.
36 (2) Formulate, establish, and administer position classification plans and salary and wage
37 schedules, all subject to final approval by the governor.
38 (3) Allocate positions in the state agencies to their proper classifications.
39 (4) Approve employees for transfer, demotion, promotion, suspension, layoff, and
40 dismissal.
41 (5) Rate employees' service.
42 (6) Arrange with state agency heads for employee training.
43 (7) Investigate the need for positions in the state agencies.
44 (8) Promulgate and enforce personnel rules.
45 (9) Make and administer examinations for employment and for promotions.
46 (10) Maintain personnel records and a roster of the personnel of all state agencies.
47 (11) Render personnel services to the political subdivisions of Indiana.
48 (12) Investigate the operation of personnel policies in all state agencies.
49 (13) Assist state agencies in the improvement of their personnel procedures.
50 (14) Conduct a vigorous program of recruitment of qualified and able persons for the state
51 agencies.
52 (15) Advise the governor and the general assembly of legislation needed to improve the
53 personnel system of this state.

1 (16) Furnish any information and counsel requested by the governor or the general
 2 assembly.
 3 (17) Establish and administer an employee training and career advancement program.
 4 (18) Administer the state personnel law, IC 4-15-2.
 5 (19) Institute an employee awards system designed to encourage all state employees to
 6 submit suggestions that will reduce the costs or improve the quality of state agencies.
 7 (20) Survey the administrative organization and procedures, including personnel
 8 procedures, of all state agencies, and submit to the governor measures to secure greater
 9 efficiency and economy, to minimize the duplication of activities, and to effect better
 10 organization and procedures among state agencies.
 11 (b) Salary and wage schedules established by the department under subsection (a) must
 12 provide for the establishment of overtime policies, which must include the following:
 13 (1) Definition of overtime.
 14 (2) Determination of employees or classes eligible for overtime pay.
 15 (3) Procedures for authorization.
 16 (4) Methods of computation.
 17 (5) Procedures for payment.
 18 (6) A provision that there shall be no mandatory adjustments to an employee's established
 19 work schedule in order to avoid the payment of overtime.
 20 (c) The state personnel advisory board shall advise the director and cooperate in the
 21 improvement of all the personnel policies of the state.
 22 (d) By January 1, 1984, the department shall establish programs of temporary appointment for
 23 employees of state agencies. A program established under this subsection must contain at least
 24 the following provisions:
 25 (1) A temporary appointment may not exceed one hundred eighty (180) working days in
 26 any twelve (12) month period.
 27 (2) The department may allow exceptions to the prohibition in subdivision (1) with the
 28 approval of the state budget agency.
 29 (3) A temporary appointment in an agency covered by IC 4-15-2 is governed by the
 30 procedures of that chapter.
 31 (4) **A temporary appointment does not constitute creditable service for purposes of the**
 32 **public employees' retirement program under IC 5-10.2 and IC 5-10.3. However, an**
 33 **employee who served in an intermittent form of temporary employment after June 30,**
 34 **1986, and before July 1, 2002, shall receive creditable service for the period of**
 35 **temporary employment.**
 36 SECTION 40. IC 4-15-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 37 PASSAGE]: Sec. 2. **Except as provided in IC 4-15-1.8-7(d),** all persons covered on January 1,
 38 1966, by this chapter or coming under the provisions of this chapter after January 1, 1966, shall
 39 be eligible for, shall participate in, and shall receive the benefits of the public employees
 40 retirement program as provided by IC 5-10.2 and IC 5-10.3.
 41 SECTION 41. IC 4-30-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
 42 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3.5. "Keno" means a game in**
 43 **which a player selects from one (1) to twenty (20) numbers between one (1) and eighty (80).**
 44 **A winner is picked by a computer program that randomly chooses twenty (20) numbers.**
 45 SECTION 42. IC 4-30-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 46 2003]: Sec. 7. "Retailer" means a person who:
 47 (1) sells lottery tickets; **or**
 48 (2) offers keno on the person's premises;
 49 on behalf of the commission under a contract.
 50 SECTION 43. IC 4-30-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 51 2003]: Sec. 7. The commission shall adopt rules under IC 4-22-2 governing the establishment,
 52 implementation, and operation of the lottery, including the following:
 53 (1) The type of lottery games to be conducted, except that:
 54 (A) the name of an elected official may not appear on a ticket or play slip of a lottery

game, on a prize, or on an instrument used for the payment of prizes, unless the prize is in the form of a state warrant; and
(B) coins or currency may not be dispensed from an electronic computer terminal or device used in a lottery game.

(2) The sales price of tickets.

(3) The number and size of prizes.

(4) The method of selecting winning tickets. However, if a lottery game involves a drawing, the drawing must be public and witnessed by an independent certified public accountant. The equipment used in the drawing shall be inspected before and after the drawing.

(5) The manner of payment of prizes to holders of winning tickets.

(6) The frequency of drawings of winning tickets.

(7) The number and type of locations at which tickets may be purchased.

(8) The method to be used in selling tickets.

(9) The manner and amount of compensation of retailers.

(10) The feasibility of using for a lottery game a terminal or device that may be operated solely by the player without the assistance of a retailer.

(11) A system of internal audits.

(12) The establishment of a code of ethics for officers and employees of the commission.

(13) Any other matters necessary or desirable for the efficient or economical operation of the lottery or for the convenience of the public.

(14) The implementation of keno.

SECTION 44. IC 4-30-3-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 16. The commission may enter into contracts for the purchase, lease, or lease-purchase of goods and services necessary for the operation and promotion of the lottery, including assistance provided by a governmental agency. The commission may require separate bids or proposals for each of the following supplies or services, if the supplies or services are provided under contract with the commission under this section or under IC 4-30-8:

(1) Management consultation services.

(2) Instant lottery ticket services and supplies.

(3) On-line services and supplies.

(4) Keno services and supplies.

SECTION 45. IC 4-30-3-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 20. As soon as practicable after June 30, 2003, the commission shall offer keno on the premises of retailers. The provisions of this article applying to the proceeds of lottery ticket sales apply to the proceeds of keno.**

SECTION 46. IC 4-30-16-3, AS AMENDED BY P.L.273-1999, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The commission shall transfer the surplus revenue in the administrative trust fund as follows:

(1) Before the last business day of January, April, July, and October, the commission shall transfer to the treasurer of state, for deposit in the Indiana state teachers' retirement fund (IC 21-6.1-2), **before July 1, 2005, seven million five hundred thousand dollars**

(\$7,500,000) and after June 30, 2005, an amount equal to the lesser of:

(A) seven million five hundred thousand dollars (\$7,500,000); or

(B) the additional quarterly contribution needed so that the ratio of the unfunded liability of the Indiana state teachers' retirement fund compared to total active teacher payroll is as close as possible to but not greater than the ratio that existed on the preceding July 1.

After June 30, 2003, and before July 1, 2005, the amount deposited in a state fiscal year under this subdivision in the Indiana state teachers' retirement fund (IC 21-6.1-2) shall be used by the board to reduce the employer contribution rate that school corporations would otherwise pay after June 30, 2003, and before July 1, 2005, to the Indiana state teachers' retirement fund (IC 21-6.1-2), as computed under IC 5-10.2-2 and certified under IC 21-6.1-7-12, for teachers covered by the 1996 account, including a proportionate share of administration expenses for the 1996 account. Before July 1, 2005, the remainder of the money transferred under this

subdivision shall be set aside in a special account to be used as a credit against the unfunded accrued liability of the pre-1996 account (as defined in IC 21-6.1-1-6.9) of the Indiana state teachers' retirement fund. On or before June 15, 2005, and June 15 of each year thereafter, the board of trustees of the Indiana state teachers' retirement fund shall submit to the treasurer of state, each member of the pension management oversight commission, and the auditor of state its estimate of the quarterly amount needed to freeze the unfunded accrued liability of the pre-1996 account (as defined in IC 21-6.1-1-6.9) as a percent of payroll. The estimate shall be based on the most recent actuarial valuation of the fund. Notwithstanding any other law, including any appropriations law resulting from a budget bill (as defined in IC 4-12-1-2), after June 30, 2005, the money transferred under this subdivision shall be set aside in a special account to be used as a credit against the unfunded accrued liability of the pre-1996 account (as defined in IC 21-6.1-1-6.9) of the Indiana state teachers' retirement fund. The money transferred is in addition to the appropriation needed to pay benefits for the state fiscal year.

(2) Before the last business day of January, April, July, and October, the commission shall transfer:

(A) two million five hundred thousand dollars (\$2,500,000) of the surplus revenue to the treasurer of state for deposit in the "k" portion of the pension relief fund (IC 5-10.3-11); and

(B) five million dollars (\$5,000,000) of the surplus revenue to the treasurer of state for deposit in the "m" portion of the pension relief fund (IC 5-10.3-11).

(3) The surplus revenue remaining in the fund on the last day of January, April, July, and October after the transfers under subdivisions (1) and (2) shall be transferred by the commission to the treasurer of state for deposit on that day in the build Indiana fund.

(b) The commission may make transfers to the treasurer of state more frequently than required by subsection (a). However, the number of transfers does not affect the amount that is required to be transferred for the purposes listed in subsection (a)(1) and (a)(2). Any amount transferred during the month in excess of the amount required to be transferred for the purposes listed in subsection (a)(1) and (a)(2) shall be transferred to the build Indiana fund.

SECTION 47. IC 4-33-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. Notwithstanding any other law, upon written request from a person, the commission shall provide the following information to the person:

(1) The information provided under section 1 of this chapter concerning a licensee or an applicant.

(2) The amount of the wagering tax and admission tax, **including any supplemental admission tax imposed under IC 4-33-12.5**, paid daily to the state by a licensed owner.

(3) A copy of a letter providing the reasons for the denial of an owner's license.

(4) A copy of a letter providing the reasons for the commission's refusal to allow an applicant to withdraw the applicant's application.

SECTION 48. IC 4-33-12-6, AS AMENDED BY P.L.192-2002(ss), SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) The department shall place in the state general fund the tax revenue collected under this chapter.

(b) Except as provided by subsections (c) and (d) and IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts:

(1) Except as provided in subsection (k), one dollar (\$1) of the admissions tax collected by the licensed owner for each person embarking on a gambling excursion during the quarter or admitted to a riverboat that has implemented flexible scheduling under IC 4-33-6-21 during the quarter shall be paid to:

(A) the city in which the riverboat is docked, if the city:

(i) is located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred fifteen thousand (115,000); or

(ii) is contiguous to the Ohio River and is the largest city in the county; and

(B) the county in which the riverboat is docked, if the riverboat is not docked in a city described in clause (A).

(2) Except as provided in subsection (k), one dollar (\$1) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county in which the riverboat is docked. In the case of a county described in subdivision (1)(B), this one dollar (\$1) is in addition to the one dollar (\$1) received under subdivision (1)(B).

(3) Except as provided in subsection (k), ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county convention and visitors bureau or promotion fund for the county in which the riverboat is docked.

(4) Except as provided in subsection (k), fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during a quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the state fair commission, for use in any activity that the commission is authorized to carry out under IC 15-1.5-3.

(5) Except as provided in subsection (k), ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the division of mental health and addiction. The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.

(6) Except as provided in ~~subsection~~ **subsections (k) and (l)**, sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person embarking on a gambling excursion during the quarter or admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21 shall be paid to the Indiana horse racing commission to be distributed as follows, in amounts determined by the Indiana horse racing commission, for the promotion and operation of horse racing in Indiana:

- (A) To one (1) or more breed development funds established by the Indiana horse racing commission under IC 4-31-11-10.
- (B) To a racetrack that was approved by the Indiana horse racing commission under IC 4-31. The commission may make a grant under this clause only for purses, promotions, and routine operations of the racetrack. No grants shall be made for long term capital investment or construction and no grants shall be made before the racetrack becomes operational and is offering a racing schedule.

(c) With respect to tax revenue collected from a riverboat that operates on Patoka Lake, the treasurer of state shall quarterly pay the following amounts:

- (1) The counties described in IC 4-33-1-1(3) shall receive one dollar (\$1) of the admissions tax collected for each person:
 - (A) embarking on a gambling excursion during the quarter; or
 - (B) admitted to the riverboat during the quarter (if the riverboat has implemented flexible scheduling).

This amount shall be divided equally among the counties described in IC 4-33-1-1(3).

- (2) The Patoka Lake development account established under IC 4-33-15 shall receive one dollar (\$1) of the admissions tax collected for each person:
 - (A) embarking on a gambling excursion during the quarter; or

(B) admitted to the riverboat during the quarter (if the riverboat has implemented flexible scheduling).

(3) The resource conservation and development program that:

(A) is established under 16 U.S.C. 3451 et seq.; and

(B) serves the Patoka Lake area;

shall receive forty cents (\$0.40) of the admissions tax collected for each person embarking on a gambling excursion during the quarter or admitted to the riverboat during the quarter (if the riverboat has implemented flexible scheduling).

(4) The state general fund shall receive fifty cents (\$0.50) of the admissions tax collected for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to the riverboat during the quarter (if the riverboat has implemented flexible scheduling).

(5) The division of mental health and addiction shall receive ten cents (\$0.10) of the admissions tax collected for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to the riverboat during the quarter (if the riverboat has implemented flexible scheduling).

The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.

(d) With respect to tax revenue collected from a riverboat that operates from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000), the treasurer of state shall quarterly pay the following amounts:

(1) Except as provided in subsection (k), one dollar (\$1) of the admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the city in which the riverboat is docked.

(2) Except as provided in subsection (k), one dollar (\$1) of the admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county in which the riverboat is docked.

(3) Except as provided in subsection (k), nine cents (\$0.09) of the admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county convention and visitors bureau or promotion fund for the county in which the riverboat is docked.

(4) Except as provided in subsection (k), one cent (\$0.01) of the admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the northwest Indiana law enforcement training center.

(5) Except as provided in subsection (k), fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person:

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during a quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the state fair commission for use in any activity that the commission is

1 authorized to carry out under IC 15-1.5-3.

2 (6) Except as provided in subsection (k), ten cents (\$0.10) of the admissions tax collected

3 by the licensed owner for each person:

4 (A) embarking on gambling excursion during the quarter; or

5 (B) admitted to a riverboat during the quarter that has implemented flexible scheduling

6 under IC 4-33-6-21;

7 shall be paid to the division of mental health and addiction. The division shall allocate at

8 least twenty-five percent (25%) of the funds derived from the admissions tax to the

9 prevention and treatment of compulsive gambling.

10 (7) Except as provided in ~~subsection~~ **subsections (k) and (l)**, sixty-five cents (\$0.65) of the

11 admissions tax collected by the licensed owner for each person embarking on a gambling

12 excursion during the quarter or admitted to a riverboat during the quarter that has

13 implemented flexible scheduling under IC 4-33-6-21 shall be paid to the Indiana horse

14 racing commission to be distributed as follows, in amounts determined by the Indiana horse

15 racing commission, for the promotion and operation of horse racing in Indiana:

16 (A) To one (1) or more breed development funds established by the Indiana horse racing

17 commission under IC 4-31-11-10.

18 (B) To a racetrack that was approved by the Indiana horse racing commission under

19 IC 4-31. The commission may make a grant under this clause only for purses,

20 promotions, and routine operations of the racetrack. No grants shall be made for long

21 term capital investment or construction, and no grants shall be made before the racetrack

22 becomes operational and is offering a racing schedule.

23 (e) Money paid to a unit of local government under subsection (b)(1) through (b)(2), (c)(1), or

24 (d)(1) through (d)(2):

25 (1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general

26 fund or riverboat fund established under IC 36-1-8-9, or both;

27 (2) may not be used to reduce the unit's maximum levy under IC 6-1.1-18.5, but may be

28 used at the discretion of the unit to reduce the property tax levy of the unit for a particular

29 year;

30 (3) may be used for any legal or corporate purpose of the unit, including the pledge of

31 money to bonds, leases, or other obligations under IC 5-1-14-4; and

32 (4) is considered miscellaneous revenue.

33 (f) Money paid by the treasurer of state under subsection (b)(3) or (d)(3) shall be:

34 (1) deposited in:

35 (A) the county convention and visitor promotion fund; or

36 (B) the county's general fund if the county does not have a convention and visitor

37 promotion fund; and

38 (2) used only for the tourism promotion, advertising, and economic development activities

39 of the county and community.

40 (g) Money received by the division of mental health and addiction under subsections (b)(5),

41 (c)(5), and (d)(6):

42 (1) is annually appropriated to the division of mental health and addiction;

43 (2) shall be distributed to the division of mental health and addiction at times during each

44 state fiscal year determined by the budget agency; and

45 (3) shall be used by the division of mental health and addiction for programs and facilities

46 for the prevention and treatment of addictions to drugs, alcohol, and compulsive gambling,

47 including the creation and maintenance of a toll free telephone line to provide the public

48 with information about these addictions. The division shall allocate at least twenty-five

49 percent (25%) of the money received to the prevention and treatment of compulsive

50 gambling.

51 (h) This subsection applies to the following:

52 (1) Each entity receiving money under subsection (b).

53 (2) Each entity receiving money under subsection (d)(1) through (d)(2).

54 (3) Each entity receiving money under subsection (d)(5) through (d)(7).

1 The treasurer of state shall determine the total amount of money paid by the treasurer of state to
2 an entity subject to this subsection during the state fiscal year 2002. The amount determined
3 under this subsection is the base year revenue for each entity subject to this subsection. The
4 treasurer of state shall certify the base year revenue determined under this subsection to each
5 entity subject to this subsection.

6 (i) This subsection applies to an entity receiving money under subsection (d)(3) or (d)(4). The
7 treasurer of state shall determine the total amount of money paid by the treasurer of state to the
8 entity described in subsection (d)(3) during state fiscal year 2002. The amount determined under
9 this subsection multiplied by nine-tenths (0.9) is the base year revenue for the entity described in
10 subsection (d)(3). The amount determined under this subsection multiplied by one-tenth (0.1) is
11 the base year revenue for the entity described in subsection (d)(4). The treasurer of state shall
12 certify the base year revenue determined under this subsection to each entity subject to this
13 subsection.

14 (j) ~~For state fiscal years beginning after June 30, 2002,~~ The total amount of money distributed
15 to an entity under this section during a state fiscal year:

16 **(1) beginning after June 30, 2003, and ending before July 1, 2005, may not, except as**
17 **provided in subsection (l), exceed fifty percent (50%) of the entity's base year revenue,**
18 **as determined under subsections (h) and (i); and**

19 **(2) after June 30, 2005, may not exceed one hundred percent (100%) of the entity's base**
20 **year revenue as determined under subsection (h) or (i).**

21 If the treasurer of state determines that the total amount of money distributed to an entity under
22 this section during a state fiscal year is less than the **percentage of the** entity's base year revenue
23 **to which the entity is entitled under subdivision (1) or (2), as applicable,** the treasurer of state
24 shall make a supplemental distribution to the entity under IC 4-33-13-5(f).

25 (k) For state fiscal years beginning after June 30, ~~2002,~~ **2003,** the treasurer of state shall pay
26 that part of the riverboat admissions taxes that:

27 **(1) ~~exceed~~ exceeds the percentage of** a particular entity's base year revenue **to which the**
28 **entity is entitled under subsection (j); and**

29 **(2) would otherwise be due to the entity under this section;**
30 **to the property tax replacement fund instead of to the entity.**

31 **(l) Not more than a total of seventeen million dollars (\$17,000,000) shall be paid to the**
32 **Indiana horse racing commission in any state fiscal year under subsections (b)(6) and**
33 **(d)(7).**

34 SECTION 49. IC 4-33-12.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER
35 TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

36 **Chapter 12.5. Supplemental Admission Tax**

37 **Sec. 1. This chapter applies to the following:**

38 **(1) A city receiving riverboat admission taxes under IC 4-33-12-6(b)(1).**

39 **(2) A city receiving riverboat admission taxes under IC 4-33-12-6(d)(1).**

40 **(3) A county receiving riverboat admission taxes under IC 4-33-12-6(b)(1) and**
41 **IC 4-33-12-6(b)(2).**

42 **(4) A county receiving riverboat admission taxes under IC 4-33-12-6(b)(2).**

43 **(5) A county receiving riverboat admission taxes under IC 4-33-12-6(d)(2).**

44 **(6) An entity receiving riverboat admission taxes under IC 4-33-12-6(b)(3).**

45 **(7) An entity receiving riverboat admission taxes under IC 4-33-12-6(d)(3).**

46 **(8) An entity receiving riverboat admission taxes under IC 4-33-12-6(d)(4).**

47 **Sec. 2. As used in this chapter, "base year revenue" means the amount determined as**
48 **base year revenue for a city, county, or other entity under IC 4-33-12-6.**

49 **Sec. 3. As used in this chapter, "city" refers to a city described in section 1 of this**
50 **chapter.**

51 **Sec. 4. As used in this chapter, "county" refers to a county described in section 1 of this**
52 **chapter.**

53 **Sec. 5. As used in this chapter, "maximum allowable supplemental admission tax rate"**
54 **is the tax rate determined for a state fiscal year under section 7 of this chapter.**

1 Sec. 6. As used in this chapter, "other entity" refers to the following:

2 (1) An entity described in IC 4-33-12-6(b)(3).

3 (2) An entity described in IC 4-33-12-6(d)(3).

4 (3) An entity described in IC 4-33-12-6(d)(4).

5 Sec. 7. (a) Not later than June 1 in each year, the commission shall notify the department
6 and each county, city, and riverboat of the maximum allowable supplemental admission tax
7 rate determined under this section for the period beginning after June 30 of that year.

8 (b) For the period beginning July 1, 2003, and ending June 30, 2004, the maximum
9 allowable supplemental admission tax rate for a city or county is equal to the result
10 determined under STEP TWO of the following formula:

11 STEP ONE: Determine the greater of:

12 (1) zero (0); or

13 (2) the lesser of:

14 (A) the difference between the base year revenue for the city or county and the
15 total of the immediately preceding four (4) quarterly payments to the city or
16 county of admission tax revenue; or

17 (B) fifty percent (50%) of the base year revenue for the city or county.

18 STEP TWO: Divide the STEP ONE result by the number of admissions to the
19 riverboat on which the distributed riverboat paid admission tax was earned.

20 (c) For the period beginning July 1, 2004, and ending June 30, 2005, the maximum
21 allowable supplemental admission tax rate for a city or county is equal to the result
22 determined under STEP TWO of the following formula:

23 STEP ONE: Determine the greater of:

24 (1) zero (0); or

25 (2) the lesser of:

26 (A) the difference between the base year revenue for the city or county and the
27 total of the immediately preceding four (4) quarterly payments to the city or
28 county of admission tax revenue; or

29 (B) fifty percent (50%) of the base year revenue for the city or county.

30 STEP TWO: Divide the STEP ONE result by the number of admissions to the
31 riverboat on which the distributed riverboat paid admission tax was earned.

32 (d) If there is more than one (1) riverboat that pays admission that is distributed to a
33 city or county, the maximum allowable supplemental admission tax rate must be based on
34 the total admissions for all of these riverboats.

35 (e) The commission shall make a separate calculation of maximum allowable
36 supplemental admission tax rate for each of the other entities in the manner provided by
37 this section for cities and counties for each of the other entities. The county in which the
38 other entities are located, each of the other entities, and each riverboat that pays admission
39 taxes that are distributed to the other entities shall be notified of the maximum allowable
40 supplemental admission tax rate computed under this subsection. The maximum allowable
41 supplemental admission tax rate for the county in which an other entity is located is equal
42 to the sum of that part of the maximum allowable supplemental admission tax rate for the
43 county, excluding the part related to the other entities, plus that part of the maximum
44 allowable supplemental admission tax rate for the other entities located in the county.

45 Sec. 8. The fiscal body of a city or county may adopt an ordinance to impose a
46 supplemental admission tax rate on each person admitted to a riverboat that pays
47 admission tax that is distributed to the city or county.

48 Sec. 9. A fiscal body that adopts an ordinance to impose a supplemental admission tax
49 rate must specify the following:

50 (1) The effective date of the ordinance.

51 (2) The supplemental admission tax rate imposed by the ordinance.

52 Sec. 10. The effective date of the ordinance may not be earlier than the later of the
53 following:

54 (1) July 1, 2003.

1 (2) Five (5) days after the riverboat receives notice of the ordinance.

2 Sec. 11. The supplemental admission tax rate imposed by the ordinance may not exceed
3 the maximum allowable supplemental admission tax rate determined by the commission
4 for the city or county. If the rate set in the ordinance is greater than the maximum
5 allowable supplemental admission tax rate for any period, the rate is reduced to the
6 maximum allowable supplemental admission tax rate. If the ordinance specifies that the
7 rate is the maximum allowable supplemental admission tax rate and, when recalculated
8 under section 7 of this chapter, the maximum allowable supplemental admission tax rate
9 changes for any period, the tax rate imposed under the ordinance shall be treated as
10 changing to the new rate on the date it becomes effective.

11 Sec. 12. If a fiscal body adopts or amends an ordinance under this chapter, the fiscal
12 body must immediately send a certified copy of the ordinance to the following:

- 13 (1) Each riverboat that is subject to the tax.
14 (2) The commissioner of the department.
15 (3) The executive director of the commission.

16 Sec. 13. (a) A licensed owner shall pay a supplemental admission tax in the same manner
17 and at the same time as an admission tax is paid under IC 4-33-12.

18 Sec. 14. A tax-free pass issued under IC 4-33-12-3 for an admission tax shall be treated
19 as a tax-free pass for a supplemental admission tax.

20 Sec. 15. The commission may suspend or revoke the license of a licensed owner that does
21 not submit a supplemental admission tax payment or a required supplemental admission
22 tax return form within the required time.

23 Sec. 16. (a) The department shall place in the state general fund in a special account the
24 supplemental admission tax revenue collected under this chapter for a city or county.

25 (b) The treasurer of state shall quarterly pay the amount of supplemental admission
26 taxes collected in the preceding quarter from a licensed owner for each city or county
27 imposing the tax to the appropriate city or county.

28 (c) This subsection applies to a county that imposes a tax under this chapter, does not
29 have a riverboat that is located in a city, and has an other entity described in
30 IC 4-33-12-6(b)(3). The treasurer of state shall quarterly directly pay the following
31 percentages of the amount of the county supplemental admission taxes collected in the
32 preceding quarter from a licensed owner to the county and each other entity:

- 33 (1) For the county, ninety-five and twenty-four hundredths percent (95.24%).
34 (2) For the other entity, four and seventy-six hundredths percent (4.76%).

35 (d) This subsection applies to a county that imposes a tax under this chapter, has a
36 riverboat that is located in a city, and has another entity described in IC 4-33-12-6(b)(3).
37 The treasurer of state shall quarterly directly pay the following percentages of the amount
38 of the county supplemental admission taxes collected in the preceding quarter from a
39 licensed owner to the county and each other entity:

- 40 (1) For the county, ninety-one percent (91%).
41 (2) For the other entity, nine percent (9%).

42 (e) This subsection applies to a county that imposes a tax under this chapter, has a
43 riverboat that is located in a city, and has other entities described in IC 4-33-12-6(d)(3) and
44 IC 4-33-12-6(d)(4). The treasurer of state shall quarterly directly pay the following
45 percentages of the amount of the county supplemental admission taxes collected in the
46 preceding quarter from a licensed owner to the county and each other entity:

- 47 (1) For the county, ninety-one percent (91%).
48 (2) For the other entity described in IC 4-33-12-6(d)(3), eight and two tenths percent
49 (8.2%).
50 (3) For the other entity described in IC 4-33-12-6(d)(4), eight tenths percent (0.8%).

51 Sec. 17. Money paid to a city or county under this chapter:

- 52 (1) must be paid to the fiscal officer of the city or county and may be deposited in the
53 city or county's general fund or riverboat fund established under IC 36-1-8-9, or both;
54 (2) may not be used to reduce the city or county's maximum levy under IC 6-1.1-18.5,

1 but may be used at the discretion of the city or county to reduce the property tax levy
2 of the city or county for a particular year;
3 (3) may be used for any legal or corporate purpose of the city or county, including the
4 pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and
5 (4) is considered miscellaneous revenue.

6 **Sec. 18. A supplemental admission tax imposed under this chapter is a listed tax to**
7 **which IC 6-8.1 applies.**

8 **Sec. 19. This chapter expires July 1, 2005, and a supplemental admission tax may not be**
9 **imposed on an admission to a riverboat after June 30, 2005.**

10 SECTION 50. IC 4-33-13-1, AS AMENDED BY P.L.192-2002(ss), SECTION 24, IS
11 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002 (RETROACTIVE)]: Sec. 1.
12 (a) This section does not apply to a riverboat that has implemented flexible scheduling under
13 IC 4-33-6-21.

14 (b) **Subject to section 1.5(h) of this chapter**, a tax is imposed on the adjusted gross receipts
15 received from gambling games authorized under this article at the rate of twenty-two and
16 five-tenths percent (22.5%) of the amount of the adjusted gross receipts.

17 (c) The licensed owner shall remit the tax imposed by this chapter to the department before
18 the close of the business day following the day the wagers are made.

19 (d) The department may require payment under this section to be made by electronic funds
20 transfer (as defined in IC 4-8.1-2-7(e)).

21 (e) If the department requires taxes to be remitted under this chapter through electronic funds
22 transfer, the department may allow the licensed owner to file a monthly report to reconcile the
23 amounts remitted to the department.

24 (f) The department may allow taxes remitted under this section to be reported on the same
25 form used for taxes paid under IC 4-33-12.

26 SECTION 51. IC 4-33-13-1.5, AS ADDED BY P.L.192-2002(ss), SECTION 25, IS
27 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002 (RETROACTIVE)]: Sec.
28 1.5. (a) This section applies only to a riverboat that has implemented flexible scheduling under
29 IC 4-33-6-21.

30 (b) A graduated tax is imposed on the adjusted gross receipts received from gambling games
31 authorized under this article as follows:

32 (1) Fifteen percent (15%) of the first twenty-five million dollars (\$25,000,000) of adjusted
33 gross receipts received during the period beginning July 1 of each year and ending June 30
34 of the following year.

35 (2) Twenty percent (20%) of the adjusted gross receipts in excess of twenty-five million
36 dollars (\$25,000,000) but not exceeding fifty million dollars (\$50,000,000) received during
37 the period beginning July 1 of each year and ending June 30 of the following year.

38 (3) Twenty-five percent (25%) of the adjusted gross receipts in excess of fifty million
39 dollars (\$50,000,000) but not exceeding seventy-five million dollars (\$75,000,000)
40 received during the period beginning July 1 of each year and ending June 30 of the
41 following year.

42 (4) Thirty percent (30%) of the adjusted gross receipts in excess of seventy-five million
43 dollars (\$75,000,000) but not exceeding one hundred fifty million dollars (\$150,000,000)
44 received during the period beginning July 1 of each year and ending June 30 of the
45 following year.

46 (5) Thirty-five percent (35%) of all adjusted gross receipts in excess of one hundred fifty
47 million dollars (\$150,000,000).

48 **The tax rates imposed under this section apply to adjusted gross receipts received beginning the**
49 **date flexible scheduling is implemented under IC 4-33-6-21.**

50 (c) The licensed owner shall remit the tax imposed by this chapter to the department before
51 the close of the business day following the day the wagers are made.

52 (d) The department may require payment under this section to be made by electronic funds
53 transfer (as defined in IC 4-8.1-2-7(f)).

54 (e) If the department requires taxes to be remitted under this chapter through electronic funds

transfer, the department may allow the licensed owner to file a monthly report to reconcile the amounts remitted to the department.

(f) The department may allow taxes remitted under this section to be reported on the same form used for taxes paid under IC 4-33-12.

(g) If a riverboat implements flexible scheduling during any part of a period beginning July 1 of each year and ending June 30 of the following year, the tax rate imposed on the adjusted gross receipts received while the riverboat implements flexible scheduling shall be computed as if the riverboat had engaged in flexible scheduling during the entire period beginning July 1 of each year and ending June 30 of the following year.

(h) If a riverboat:

(1) implements flexible scheduling during any part of a period beginning July 1 of each year and ending June 30 of the following year; and

(2) before the end of that period ceases to operate the riverboat with flexible scheduling;

the riverboat shall continue to pay a wagering tax at the tax rates imposed under subsection (b) until the end of that period as if the riverboat had not ceased to conduct flexible scheduling.

SECTION 52. IC 4-33-13-5, AS AMENDED BY P.L.192-2002(ss), SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002 (RETROACTIVE)]: Sec. 5.

(a) After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

(1) Before July 1, 2003, the first thirty-three million dollars (\$33,000,000) of tax revenues collected in a state fiscal year under this chapter shall be set aside for deposited in the state general fund and, after June 30, 2003, the first thirty-three million dollars (\$33,000,000) of tax revenue collected in a state fiscal year under this chapter shall be distributed as follows:

(A) The first sixteen million five hundred thousand dollars (\$16,500,000) of tax revenue collected in a state fiscal year under this chapter shall be distributed as revenue sharing under subsection (d).

(B) The next sixteen million five hundred thousand dollars (\$16,500,000) of tax revenue collected in a state fiscal year under this chapter shall be deposited in the state general fund.

(2) Subject to subsection (b), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:

(A) to the city that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:

(i) a city described in IC 4-33-12-6(b)(1)(A); or

(ii) a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000);

(B) in equal shares to the counties described in IC 4-33-1-1(3), in the case of a riverboat whose home dock is on Patoka Lake; or

(C) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat whose home dock is not in a city described in clause (A) or a county described in clause (B).

(3) Subject to subsection (c), the remainder of the tax revenue remitted by each licensed owner shall be paid to the property tax replacement fund. **In each state fiscal year beginning after June 30, 2003, the treasurer of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the treasurer of state may transfer the tax revenue to the property tax replacement fund in the immediately following month.**

(b) For each city and county receiving money under subsection (a)(2)(A) or (a)(2)(C), the

1 treasurer of state shall determine the total amount of money paid by the treasurer of state to the
2 city or county during the state fiscal year 2002. The amount determined is the base year revenue
3 for the city or county. The treasurer of state shall certify the base year revenue determined under
4 this subsection to the city or county. The total amount of money distributed to a city or county
5 under this section during a state fiscal year may not exceed the entity's base year revenue. For
6 each state fiscal year beginning after June 30, 2002, the treasurer of state shall pay that part of
7 the riverboat wagering taxes that:

- 8 (1) exceeds a particular city or county's base year revenue; and
- 9 (2) would otherwise be due to the city or county under this section;

10 to the property tax replacement fund instead of to the city or county.

11 (c) Each state fiscal year the treasurer of state shall transfer from the tax revenue remitted to
12 the property tax replacement fund under subsection (a)(3) to the build Indiana fund an amount
13 that when added to the following may not exceed two hundred fifty million dollars
14 (\$250,000,000):

- 15 (1) Surplus lottery revenues under IC 4-30-17-3.
- 16 (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32-10-6.
- 17 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

18 The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations
19 of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the
20 property tax replacement fund under subsection (a)(3) to comply with this subsection, the
21 treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount
22 available in the property tax replacement fund from the transfers under subsection (a)(3) for the
23 state fiscal year.

24 (d) Before August 15 of ~~2003~~ **2004** and each year thereafter, the treasurer of state shall
25 distribute the ~~wagering taxes set aside for~~ **amount of** revenue sharing **available for distribution**
26 **in the state fiscal year** under subsection ~~(a)(1)~~ **(a)(1)(A)** to the county treasurer of each county
27 that does not have a riverboat according to the ratio that the county's population bears to the total
28 population of the counties that do not have a riverboat. The county treasurer shall distribute the
29 money received by the county under this subsection as follows:

- 30 (1) To each city located in the county according to the ratio the city's population bears to the
31 total population of the county.
- 32 (2) To each town located in the county according to the ratio the town's population bears to
33 the total population of the county.
- 34 (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall
35 be retained by the county.

36 (e) Money received by a city, town, or county under subsection (d) may be used only:

- 37 (1) to reduce the property tax levy of the city, town, or county for a particular year (a
38 property tax reduction under this subdivision does not reduce the maximum levy of the city,
39 town, or county under IC 6-1.1-18.5);
- 40 (2) for deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14,
41 IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for additional credits for
42 property tax replacement in property tax increment allocation areas;
- 43 (3) to fund sewer and water projects, including storm water management projects; or
- 44 (4) for police and fire pensions.

45 However, not more than twenty percent (20%) of the money received under subsection (d) may
46 be used for the purpose described in subdivision (4).

47 (f) Before September 15 of ~~2003~~ **2006** and each year thereafter, the treasurer of state shall
48 determine the total amount of money distributed to an entity under IC 4-33-12-6 during the
49 preceding state fiscal year. If the treasurer of state determines that the total amount of money
50 distributed to an entity under IC 4-33-12-6 during the preceding state fiscal year was less than
51 the **percentage of the** entity's base year revenue ~~(as determined under IC 4-33-12-6); to which~~
52 **the entity is entitled under IC 4-33-12-6(j)(2)**, the treasurer of state shall make a supplemental
53 distribution to the entity from taxes collected under this chapter and deposited into the property
54 tax replacement fund. The amount of the supplemental distribution is equal to the difference

1 between the **percentage of the** entity's base year revenue ~~(as determined under IC 4-33-12-6)~~ to
2 **which the entity is entitled under IC 4-33-12-6(j)(2)** and the total amount of money distributed
3 to the entity during the preceding state fiscal year under IC 4-33-12-6.

4 SECTION 53. IC 5-13-12-4, AS AMENDED BY P.L.281-2001, SECTION 1, IS AMENDED
5 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) The secretary-investment
6 manager shall administer, manage, and direct the affairs and activities of the board under the
7 policies and under the control and direction of the board. In carrying out these duties, the
8 secretary-investment manager has the power to do the following:

9 (1) Approve all accounts for salaries and allowable expenses of the board, including, but
10 not limited to:

11 (A) the employment of general or special attorneys, consultants, and employees and
12 agents as may be necessary to assist the secretary-investment manager in carrying out
13 the duties of that office and to assist the board in its consideration of applications for a
14 guarantee of an industrial development obligation or credit enhancement obligation
15 guarantee; and

16 (B) the setting of compensation of persons employed under subdivision (A).

17 (2) Approve all expenses incidental to the operation of the public deposit insurance fund.

18 (3) Perform other duties and functions that may be delegated to the secretary-investment
19 manager by the board or that are necessary to carry out the duties of the
20 secretary-investment manager under this chapter.

21 (b) The secretary-investment manager shall keep a record of the proceedings of the board, and
22 shall maintain and be custodian of all books, documents, and papers filed with the board, and its
23 official seal. The secretary-investment manager may make copies of all minutes and other
24 records and documents of the board, and may give certificates under seal of the board to the
25 effect that the copies are true copies. All persons dealing with the board may rely upon the
26 certificates.

27 (c) Each year, beginning in 2001 and ending in 2011, after the treasurer of state prepares the
28 annual report required by IC 4-8.1-2-14, the secretary-investment manager shall determine:

29 (1) the amount of interest earned by the public deposit insurance fund during the state fiscal
30 year ending on the preceding June 30, after deducting:

31 (A) all expenses and other costs of the board for depositories that were not paid from
32 other sources during that state fiscal year; and

33 (B) all expenses and other costs associated with the Indiana education savings authority
34 that were not paid from other sources during that state fiscal year; ~~and~~

35 (2) the amount of interest earned during the state fiscal year ending on the preceding June
36 30 by the pension distribution fund established by subsection (g); **and**

37 **(3) in annual reports covering state fiscal years beginning after June 30, 2003, an**
38 **estimate of the interest that was not earned in the preceding state fiscal year as a**
39 **result of transferring money from the public deposit insurance fund to the state**
40 **general fund in the state fiscal year beginning July 1, 2003, and ending June 30, 2004,**
41 **as a result of legislation enacted in the 2003 session of the general assembly.**

42 (d) On or before November 1 of each year, beginning in 2001 and ending in 2011, the public
43 employees' retirement fund shall provide a report to the secretary-investment manager
44 concerning the individual and aggregate payments made by all units of local government (as
45 defined in IC 5-10.3-11-3) during the preceding calendar year for benefits under the police and
46 firefighter pension funds established by IC 36-8-6, IC 36-8-7, and IC 36-8-7.5.

47 (e) On or before the last business day of November of each year, beginning in 2001 and
48 ending in 2011, the secretary-investment manager shall compute the amount of earned interest to
49 be distributed under this section to each unit of local government (as defined in IC 5-10.3-11-3)
50 in accordance with subsection (h) according to the following formula:

51 STEP ONE: Add the amount determined under subsection (c)(1) to the amount determined
52 under subsection (c)(2).

53 STEP TWO: Divide the STEP ONE sum by the aggregate amount of payments made by all
54 units of local government during the preceding calendar year for benefits under the police

1 and firefighter pension funds established by IC 36-8-6, IC 36-8-7, and IC 36-8-7.5, as
2 reported under subsection (d).
3 STEP THREE: Multiply the STEP TWO quotient by the amount of payments made by each
4 unit of local government during the preceding calendar year for benefits under the police
5 and firefighter pension funds established by IC 36-8-6, IC 36-8-7, and IC 36-8-7.5, as
6 reported under subsection (d).
7 (f) Subject to subsection (j), on or before the last business day of December of each year,
8 beginning in 2001 and ending in 2011, the secretary-investment manager shall provide to the
9 auditor of state:
10 (1) a report setting forth the amounts to be distributed to units of local government, as
11 determined under subsection (e); and
12 (2) a check payable from the public deposit insurance fund to the pension distribution fund
13 established by subsection (g) in an amount equal to the amount determined under
14 subsection (c)(1).
15 (g) The pension distribution fund is established. The pension distribution fund shall be
16 administered by the treasurer of state. The treasurer of state shall invest money in the pension
17 distribution fund not currently needed to meet the obligations of the pension distribution fund in
18 the same manner as other public money may be invested. Interest that accrues from these
19 investments shall be deposited in the pension distribution fund. Money in the pension
20 distribution fund at the end of a state fiscal year does not revert to the state general fund.
21 (h) Subject to subsection (j), on June 30 and October 1 of each year, beginning in 2002 and
22 ending in 2012, the auditor of state shall distribute in two (2) equal installments from the pension
23 distribution fund to the fiscal officer of each unit of local government identified under subsection
24 (d) the amount computed for that unit under subsection (e) in November of the preceding year.
25 (i) Each unit of local government shall deposit distributions received under subsection (h) in
26 the pension fund or funds identified by the secretary-investment manager and shall use those
27 distributions to pay a portion of the obligations with respect to the pension fund or funds.
28 (j) Before providing a check to the auditor of state under subsection (f)(2) in December of any
29 year, the secretary-investment manager shall determine:
30 (1) the total amount of payments made from the public deposit insurance fund under
31 IC 5-13-13-3 after June 30, 2001;
32 (2) the total amount of payments received by the board for depositories and deposited in the
33 public deposit insurance fund under IC 5-13-13-3 after June 30, 2001; and
34 (3) the total amount of interest earned by the public deposit insurance fund after the first of
35 the payments described in subdivision (1).
36 If the total amount of payments determined under subdivision (1) less the total amount of
37 payments determined under subdivision (2) (referred to in this subsection as the "net draw on the
38 fund") exceeds ten million dollars (\$10,000,000) and also exceeds the total amount of interest
39 determined under subdivision (3), the secretary-investment manager may not provide a check to
40 the auditor of state under subsection (f)(2) and a distribution may not be made from the pension
41 distribution fund under subsection (h) in the following calendar year until the total amount of
42 interest earned by the public deposit insurance fund equals the net draw on the fund. A check
43 may not be provided under subsection (f)(2) and a distribution may not be made under
44 subsection (f) in any subsequent calendar year if a study conducted by the board under section
45 7(b) of this chapter demonstrates that payment of the distribution would reduce the balance of
46 the public deposit insurance fund to a level insufficient to ensure the safekeeping and prompt
47 payment of public funds to the extent they are not covered by insurance of any federal deposit
48 insurance agency.
49 **(k) The secretary-investment manager and the auditor of state shall provide for a**
50 **supplemental distribution of money to units that receive a distribution of interest under**
51 **this section. The total amount of the distribution is equal to an estimate made by the**
52 **secretary-investment manager of the interest that was not earned in the preceding state**
53 **fiscal year as a result of transferring money from the public deposit insurance fund to the**
54 **state general fund in the state fiscal year beginning July 1, 2003, and ending June 30, 2004,**

1 as a result of a budget bill enacted in the 2003 session of the general assembly. The amount
2 of the total distribution shall be transferred from the from the public deposit insurance
3 fund to the pension distribution fund in the same manner and at the same time as a
4 transfer is made under subsection (f). A distribution under this subsection to units shall be
5 made at the same time and in the same manner as distributions are made under subsection
6 (h). Each unit shall receive a distribution under this subsection in the same proportion as
7 the unit's share of the total amount distributed under subsection (h). Money distributed
8 under this subsection may be used only for the purposes described in subsection (i).

9 SECTION 54. IC 6-1.1-19-1.5, AS AMENDED BY P.L.90-2002, SECTION 173, IS
10 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1.5. (a) The
11 following definitions apply throughout this section and IC 21-3-1.7:

12 (1) "Adjustment factor" means the adjustment factor determined by the department of local
13 government finance for a school corporation under IC 6-1.1-34.

14 (2) "Adjusted target property tax rate" means:

15 (A) the school corporation's target general fund property tax rate determined under
16 IC 21-3-1.7-6.8; multiplied by

17 (B) the school corporation's adjustment factor.

18 (3) "Previous year property tax rate" means the school corporation's previous year general
19 fund property tax rate after the reductions cited in IC 21-3-1.7-5(1), IC 21-3-1.7-5(2), and
20 IC 21-3-1.7-5(3).

21 (b) Except as otherwise provided in this chapter, a school corporation may not, for an ensuing
22 calendar year, impose a general fund ad valorem property tax levy which exceeds the following:

23 STEP ONE: Determine the result of:

24 (A) the school corporation's adjusted target property tax rate; minus

25 (B) the school corporation's previous year property tax rate.

26 STEP TWO: Determine the result of:

27 ~~(A) the school corporation's target general fund property tax rate determined under~~
28 ~~IC 21-3-1.7-6.8; multiplied by~~

29 ~~(B) the quotient resulting from:~~

30 ~~(i) the absolute value of the result of the school corporation's adjustment factor minus~~
31 ~~one (1); divided by~~

32 ~~(ii) two (2).~~

33 STEP THREE: If the school corporation's adjusted target property tax rate:

34 (A) exceeds the school corporation's previous year property tax rate, perform the
35 calculation under STEP ~~FOUR~~ **THREE** and not under STEP ~~FIVE~~; **FOUR**;

36 (B) is less than the school corporation's previous year property tax rate, perform the
37 calculation under STEP ~~FIVE~~ **FOUR** and not under STEP ~~FOUR~~; **THREE**; or

38 (C) equals the school corporation's previous year property tax rate, determine the levy
39 resulting from using the school corporation's adjusted target property tax rate and do not
40 perform the calculation under STEP ~~FOUR~~ **THREE** or STEP ~~FIVE~~. The school
41 corporation's 2002 assessed valuation shall be used for purposes of determining the levy
42 under clause ~~(C)~~ in 2002 and in 2003: **FOUR**.

43 STEP ~~FOUR~~; **THREE**: Determine the levy resulting from using the school corporation's
44 previous year property tax rate after increasing the rate by the lesser of:

45 (A) the STEP ONE result; or

46 (B) the sum of:

47 (i) five cents (\$0.05). plus

48 (ii) if the school corporation's adjustment factor is more than one (1), the STEP TWO
49 result.

50 The school corporation's 2002 assessed valuation shall be used for purposes of determining
51 the levy under this STEP in 2002 and in 2003.

52 STEP ~~FIVE~~; **FOUR**: Determine the levy resulting from using the school corporation's
53 previous year property tax rate after reducing the rate by the lesser of:

54 (A) the absolute value of the STEP ONE result; or

(B) the sum of:

(i) nine cents (\$0.09), plus

(ii) if the school corporation's adjustment factor is less than one (1), the STEP TWO result.

The school corporation's 2002 assessed valuation shall be used for purposes of determining the levy under this STEP in 2002 and in 2003.

STEP SIX: FIVE: Determine the result of:

(A) the STEP THREE TWO (C), STEP FOUR, THREE, or STEP FIVE FOUR result, whichever applies; plus

(B) an amount equal to the annual decrease in federal aid to impacted areas from the year preceding the ensuing calendar year by three (3) years to the year preceding the ensuing calendar year by two (2) years.

The maximum levy is to include the portion of any excessive levy and the levy for new facilities.

(c) For purposes of this section, "total assessed value", as adjusted under subsection (d), with respect to a school corporation means the total assessed value of all taxable property for ad valorem property taxes first due and payable during that year.

(d) The department of local government finance may adjust the total assessed value of a school corporation to eliminate the effects of appeals and settlements arising from a statewide general reassessment of real property.

(e) The department of local government finance shall annually establish an assessment ratio and adjustment factor for each school corporation to be used upon the review and recommendation of the budget committee. The information compiled, including background documentation, may not be used in a:

- (1) review of an assessment under IC 6-1.1-8, IC 6-1.1-13, IC 6-1.1-14, or IC 6-1.1-15;
- (2) petition for a correction of error under IC 6-1.1-15-12; or
- (3) petition for refund under IC 6-1.1-26.

(f) All tax rates shall be computed by rounding the rate to the nearest one-hundredth of a cent (\$0.0001). All tax levies shall be computed by rounding the levy to the nearest dollar amount.

SECTION 55. IC 6-1.1-34-7, AS AMENDED BY P.L.90-2002, SECTION 243, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. (a) Each year in which the department of local government finance computes a new assessment ratio for a school corporation, the department shall also compute a new adjustment factor for the school corporation. If the school corporation's assessment ratio for a year is more than ninety-nine percent (99%) but less than one hundred one percent (101%) of the state average assessment ratio for that year, the school corporation's adjustment factor is the number one (1). In all other cases, the school corporation's adjustment factor equals (1) the state average assessment ratio for a year, divided by (2) the school corporation's assessment ratio for that year. The department of local government finance shall notify the school corporation of its new adjustment factor before March 2 of the year in which the department calculates the new adjustment factor.

(b) This subsection applies in a calendar year in which a general reassessment takes effect. If the department of local government finance has not computed:

- (1) a new assessment ratio for a school corporation; or
- (2) a new state average assessment ratio;

the school corporation's adjustment factor is the number one (1) until the department of local government finance notifies the school corporation of the school corporation's new adjustment factor.

SECTION 56. IC 6-3-1-3.5, AS AMENDED BY P.L.192-2002(ss), SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003 (RETROACTIVE)]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000).

(4) Subtract one thousand dollars (\$1,000) for:

- (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code;
- (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
- (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(5) Subtract:

- (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code for taxable years beginning after December 31, 1996; and
- (B) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars (\$40,000).

This amount is in addition to the amount subtracted under subdivision (4).

(6) Subtract an amount equal to the lesser of:

- (A) that part of the individual's adjusted gross income (as defined in Section 62 of the Internal Revenue Code) for that taxable year that is subject to a tax that is imposed by a political subdivision of another state and that is imposed on or measured by income; or
- (B) two thousand dollars (\$2,000).

(7) Add an amount equal to the total capital gain portion of a lump sum distribution (as defined in Section 402(e)(4)(D) of the Internal Revenue Code) if the lump sum distribution is received by the individual during the taxable year and if the capital gain portion of the distribution is taxed in the manner provided in Section 402 of the Internal Revenue Code.

(8) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.

(9) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).

(10) Add an amount equal to the deduction allowed under Section 221 of the Internal Revenue Code for married couples filing joint returns if the taxable year began before January 1, 1987.

(11) Add an amount equal to the interest excluded from federal gross income by the individual for the taxable year under Section 128 of the Internal Revenue Code if the taxable year began before January 1, 1985.

(12) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.

(13) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), (5), and (6) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

(14) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under

- 1 federal law to retain an amount to pay state and local income taxes.
- 2 (15) In the case of an eligible individual, subtract the amount of a Holocaust victim's
- 3 settlement payment included in the individual's federal adjusted gross income.
- 4 (16) For taxable years beginning after December 31, 1999, subtract an amount equal to the
- 5 portion of any premiums paid during the taxable year by the taxpayer for a qualified long
- 6 term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse, or
- 7 both.
- 8 (17) Subtract an amount equal to the lesser of:
- 9 (A) two thousand five hundred dollars (\$2,500); or
- 10 (B) the amount of property taxes that are paid during the taxable year in Indiana by the
- 11 individual on the individual's principal place of residence.
- 12 (18) Subtract an amount equal to the amount of a September 11 terrorist attack settlement
- 13 payment included in the individual's federal adjusted gross income.
- 14 **(19) Add an amount equal to that part of any depreciation allowance allowed in**
- 15 **computing the taxpayer's federal adjusted gross income that is attributable to the**
- 16 **additional first-year special depreciation allowance (bonus depreciation) for qualified**
- 17 **property allowed under Section 168(k) of the Internal Revenue Code.**
- 18 (b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the
- 19 Internal Revenue Code) adjusted as follows:
- 20 (1) Subtract income that is exempt from taxation under this article by the Constitution and
- 21 statutes of the United States.
- 22 (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to
- 23 Section 170 of the Internal Revenue Code.
- 24 (3) Add an amount equal to any deduction or deductions allowed or allowable pursuant to
- 25 Section 63 of the Internal Revenue Code for taxes based on or measured by income and
- 26 levied at the state level by any state of the United States.
- 27 (4) Subtract an amount equal to the amount included in the corporation's taxable income
- 28 under Section 78 of the Internal Revenue Code.
- 29 **(5) Add an amount equal to that part of any depreciation allowance allowed in**
- 30 **computing the taxpayer's federal adjusted gross income that is attributable to the**
- 31 **additional first-year special depreciation allowance (bonus depreciation) for qualified**
- 32 **property allowed under Section 168(k) of the Internal Revenue Code.**
- 33 (c) In the case of life insurance companies (as defined in Section 816(a) of the Internal
- 34 Revenue Code) that are organized under Indiana law, the same as "life insurance company
- 35 taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:
- 36 (1) Subtract income that is exempt from taxation under this article by the Constitution and
- 37 statutes of the United States.
- 38 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the
- 39 Internal Revenue Code.
- 40 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section
- 41 831(c) of the Internal Revenue Code for taxes based on or measured by income and levied
- 42 at the state level by any state.
- 43 (4) Subtract an amount equal to the amount included in the company's taxable income
- 44 under Section 78 of the Internal Revenue Code.
- 45 **(5) Add an amount equal to that part of any depreciation allowance allowed in**
- 46 **computing the taxpayer's federal adjusted gross income that is attributable to the**
- 47 **additional first-year special depreciation allowance (bonus depreciation) for qualified**
- 48 **property allowed under Section 168(k) of the Internal Revenue Code.**
- 49 (d) In the case of insurance companies subject to tax under Section 831 of the Internal
- 50 Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in
- 51 Section 832 of the Internal Revenue Code), adjusted as follows:
- 52 (1) Subtract income that is exempt from taxation under this article by the Constitution and
- 53 statutes of the United States.
- 54 (2) Add an amount equal to any deduction allowed or allowable under Section 170 of the

1 Internal Revenue Code.
2 (3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section
3 831(c) of the Internal Revenue Code for taxes based on or measured by income and levied
4 at the state level by any state.
5 (4) Subtract an amount equal to the amount included in the company's taxable income
6 under Section 78 of the Internal Revenue Code.
7 **(5) Add an amount equal to that part of any depreciation allowance allowed in**
8 **computing the taxpayer's federal adjusted gross income that is attributable to the**
9 **additional first-year special depreciation allowance (bonus depreciation) for qualified**
10 **property allowed under Section 168(k) of the Internal Revenue Code.**

11 (e) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in
12 Section 641(b) of the Internal Revenue Code) ~~reduced by:~~ **adjusted as follows:**

13 (1) **Subtract** income that is exempt from taxation under this article by the Constitution and
14 statutes of the United States. ~~and~~
15 (2) **Subtract** an amount equal to the amount of a September 11 terrorist attack settlement
16 payment included in the federal adjusted gross income of the estate of a victim of the
17 September 11 terrorist attack or a trust to the extent the trust benefits a victim of the
18 September 11 terrorist attack.
19 **(3) Add an amount equal to that part of any depreciation allowance allowed in**
20 **computing the taxpayer's federal adjusted gross income that is attributable to the**
21 **additional first-year special depreciation allowance (bonus depreciation) for qualified**
22 **property allowed under Section 168(k) of the Internal Revenue Code.**

23 SECTION 57. IC 6-3-1-11, AS AMENDED BY P.L.192-2002(ss), SECTION 69, IS
24 AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003 (RETROACTIVE)]:
25 Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the
26 United States as amended and in effect on January 1, ~~2002;~~ **2003.**

27 (b) Whenever the Internal Revenue Code is mentioned in this article, the particular provisions
28 that are referred to, together with all the other provisions of the Internal Revenue Code in effect
29 on January 1, ~~2002;~~ **2003**, that pertain to the provisions specifically mentioned, shall be regarded
30 as incorporated in this article by reference and have the same force and effect as though fully set
31 forth in this article. To the extent the provisions apply to this article, regulations adopted under
32 Section 7805(a) of the Internal Revenue Code and in effect on January 1, ~~2002;~~ **2003**, shall be
33 regarded as rules adopted by the department under this article, unless the department adopts
34 specific rules that supersede the regulation.

35 (c) An amendment to the Internal Revenue Code made by an act passed by Congress before
36 January 1, ~~2002;~~ **2003**, that is effective for any taxable year that began before January 1, ~~2002;~~
37 **2003**, and that affects:

38 (1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue
39 Code);
40 (2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);
41 (3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue
42 Code);
43 (4) life insurance company taxable income (as defined in Section 801(b) of the Internal
44 Revenue Code);
45 (5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal
46 Revenue Code); or
47 (6) taxable income (as defined in Section 832 of the Internal Revenue Code);
48 is also effective for that same taxable year for purposes of determining adjusted gross income
49 under section 3.5 of this chapter.

50 SECTION 58. IC 6-5.5-1-2, AS AMENDED BY P.L.273-1999, SECTION 52, IS AMENDED
51 TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2003 (RETROACTIVE)]: Sec. 2. (a)
52 Except as provided in subsections (b) through (d), "adjusted gross income" means taxable
53 income as defined in Section 63 of the Internal Revenue Code, adjusted as follows:

54 (1) Add the following amounts:

- 1 (A) An amount equal to a deduction allowed or allowable under Section 166, Section
2 585, or Section 593 of the Internal Revenue Code.
- 3 (B) An amount equal to a deduction allowed or allowable under Section 170 of the
4 Internal Revenue Code.
- 5 (C) An amount equal to a deduction or deductions allowed or allowable under Section
6 63 of the Internal Revenue Code for taxes based on or measured by income and levied at
7 the state level by a state of the United States or levied at the local level by any
8 subdivision of a state of the United States.
- 9 (D) The amount of interest excluded under Section 103 of the Internal Revenue Code or
10 under any other federal law, minus the associated expenses disallowed in the
11 computation of taxable income under Section 265 of the Internal Revenue Code.
- 12 (E) An amount equal to the deduction allowed under Section 172 or 1212 of the Internal
13 Revenue Code for net operating losses or net capital losses.
- 14 (F) For a taxpayer that is not a large bank (as defined in Section 585(c)(2) of the Internal
15 Revenue Code), an amount equal to the recovery of a debt, or part of a debt, that
16 becomes worthless to the extent a deduction was allowed from gross income in a prior
17 taxable year under Section 166(a) of the Internal Revenue Code.
- 18 **(G) An amount equal to that part of any depreciation allowance allowed in**
19 **computing the taxpayer's federal adjusted gross income that is attributable to the**
20 **additional first-year special depreciation allowance (bonus depreciation) for**
21 **qualified property allowed under Section 168(k) of the Internal Revenue Code.**
- 22 (2) Subtract the following amounts:
- 23 (A) Income that the United States Constitution or any statute of the United States
24 prohibits from being used to measure the tax imposed by this chapter.
- 25 (B) Income that is derived from sources outside the United States, as defined by the
26 Internal Revenue Code.
- 27 (C) An amount equal to a debt or part of a debt that becomes worthless, as permitted
28 under Section 166(a) of the Internal Revenue Code.
- 29 (D) An amount equal to any bad debt reserves that are included in federal income
30 because of accounting method changes required by Section 585(c)(3)(A) or Section 593
31 of the Internal Revenue Code.
- 32 (b) In the case of a credit union, "adjusted gross income" for a taxable year means the total
33 transfers to undivided earnings minus dividends for that taxable year after statutory reserves are
34 set aside under IC 28-7-1-24.
- 35 (c) In the case of an investment company, "adjusted gross income" means the company's
36 federal taxable income multiplied by the quotient of:
- 37 (1) the aggregate of the gross payments collected by the company during the taxable year
38 from old and new business upon investment contracts issued by the company and held by
39 residents of Indiana; divided by
- 40 (2) the total amount of gross payments collected during the taxable year by the company
41 from the business upon investment contracts issued by the company and held by persons
42 residing within Indiana and elsewhere.
- 43 (d) As used in subsection (c), "investment company" means a person, copartnership,
44 association, limited liability company, or corporation, whether domestic or foreign, that:
- 45 (1) is registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); and
46 (2) solicits or receives a payment to be made to itself and issues in exchange for the
47 payment:
- 48 (A) a so-called bond;
- 49 (B) a share;
- 50 (C) a coupon;
- 51 (D) a certificate of membership;
- 52 (E) an agreement;
- 53 (F) a pretended agreement; or
- 54 (G) other evidences of obligation;

1 entitling the holder to anything of value at some future date, if the gross payments received
2 by the company during the taxable year on outstanding investment contracts, plus interest
3 and dividends earned on those contracts (by prorating the interest and dividends earned on
4 investment contracts by the same proportion that certificate reserves (as defined by the
5 Investment Company Act of 1940) is to the company's total assets) is at least fifty percent
6 (50%) of the company's gross payments upon investment contracts plus gross income from
7 all other sources except dividends from subsidiaries for the taxable year. The term
8 "investment contract" means an instrument listed in clauses (A) through (G).

9 SECTION 59. IC 11-8-1-5.5, AS ADDED BY P.L.273-1999, SECTION 205, IS AMENDED
10 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5.5. "Community transition
11 program" means assignment of a person committed to the department to:

- 12 (1) a community corrections program; ~~or~~
13 (2) in a county or combination of counties that do not have a community corrections
14 program, a program of supervision by the probation department of a court; ~~or~~
15 **(3) an enrolled nonprofit or faith based community transition program if the person is**
16 **a nonviolent offender;**

17 for a period after a person's community transition program commencement date until the person
18 completes the person's fixed term of imprisonment, less the credit time the person has earned
19 with respect to the term.

20 SECTION 60. IC 11-8-1-5.6, AS AMENDED BY P.L.291-2001, SECTION 223, IS
21 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5.6. "Community
22 transition program commencement date" means the following:

- 23 (1) ~~Sixty (60)~~ **One hundred (100)** days before an offender's expected release date, if the
24 most serious offense for which the person is committed is a Class D felony.
25 (2) ~~Ninety (90)~~ **One hundred (100)** days before an offender's expected release date, if the
26 most serious offense for which the person is committed is a Class C felony and subdivision
27 (3) does not apply.
28 (3) One hundred twenty (120) days before an offender's expected release date, if:
29 (A) the most serious offense for which the person is committed is a Class C felony;
30 (B) all of the offenses for which the person was concurrently or consecutively sentenced
31 are offenses under IC 16-42-19 or IC 35-48-4; and
32 (C) none of the offenses for which the person was concurrently or consecutively
33 sentenced are listed in IC 35-50-2-2(b)(4).
34 (4) One hundred twenty (120) days before an offender's expected release date, if the most
35 serious offense for which the person is committed is a Class A or Class B felony and
36 subdivision (5) does not apply.
37 (5) One hundred eighty (180) days before an offender's expected release date, if:
38 (A) the most serious offense for which the person is committed is a Class A or Class B
39 felony;
40 (B) all of the offenses for which the person was concurrently or consecutively sentenced
41 are offenses under IC 16-42-19 or IC 35-48-4; and
42 (C) none of the offenses for which the person was concurrently or consecutively
43 sentenced are listed in IC 35-50-2-2(b)(4).

44 SECTION 61. IC 11-8-1-8.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
45 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.6. "Nonprofit or faith based**
46 **community transition program" means an organization that is:**

- 47 **(1) exempt from federal income taxation under section 501(c)(3) of the Internal**
48 **Revenue Code; or**
49 **(2) operated as a part of or is directly affiliated with a church or religious ministry;**
50 **and has staff with training or experience in spiritual counseling, addictions counseling,**
51 **vocational counseling, or a combination of the foregoing.**

52 SECTION 62. IC 11-8-1-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
53 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8.7. "Nonviolent offender"**
54 **means an offender has not been committed to the department, at any time, for any of the**

1 following offenses:

- 2 (1) Murder (IC 35-42-1-1).
- 3 (2) Voluntary manslaughter (IC 35-42-1-3).
- 4 (3) Involuntary manslaughter (IC 35-42-1-4).
- 5 (4) Reckless homicide (IC 35-42-1-5).
- 6 (5) Battery (IC 35-42-2-1) with a deadly weapon or battery causing death.
- 7 (6) Aggravated battery (IC 35-42-2-1.5).
- 8 (7) Kidnapping (IC 35-42-3-2).
- 9 (8) Confinement (IC 35-42-3-3) with a deadly weapon.
- 10 (9) Sexual battery (IC 35-42-4-8) with a deadly weapon.
- 11 (10) Rape (IC 35-42-4-1).
- 12 (11) Criminal deviate conduct (IC 35-42-4-2).
- 13 (12) Child molesting (IC 35-42-4-3).
- 14 (13) Child solicitation (IC 35-42-4-6).
- 15 (14) Sexual misconduct with a minor as a Class A felony (IC 35-42-4-9).
- 16 (15) Robbery (IC 35-42-5-1).
- 17 (16) Burglary as a Class A felony or a Class B felony (IC 35-43-2-1).
- 18 (17) Operating a motor vehicle causing death (IC 9-30-5-5).
- 19 (18) Arson (IC 35-43-1-1) resulting in serious bodily injury.
- 20 (19) Burglary (IC 35-43-2-1) resulting in serious bodily injury or with a deadly
- 21 weapon.
- 22 (20) Resisting law enforcement (IC 35-44-3-3) with a deadly weapon.
- 23 (21) Escape (IC 35-44-3-5) with a deadly weapon.
- 24 (22) Rioting (IC 35-45-1-2) with a deadly weapon.
- 25 (23) An attempt to commit an offense described in subdivisions (1) through (22).

26 SECTION 63. IC 11-10-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
27 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3.5. (a) The department may not
28 accept the commitment or award of guardianship of a delinquent offender by a juvenile
29 court for a county if the commitment or award results in that county exceeding on any day
30 its maximum female daily offender count or maximum male daily offender count specified
31 under subsection (b).

32 (b) Subject to subsection (c), a county's maximum female and male daily offender count
33 for a county is the following:

| County | Maximum Daily Offender Count | |
|-------------|------------------------------|-------|
| | Females | Males |
| Adams | 3 | 9 |
| Allen | 21 | 78 |
| Bartholomew | 4 | 16 |
| Benton | 1 | 2 |
| Blackford | 1 | 3 |
| Boone | 3 | 12 |
| Brown | 1 | 3 |
| Carroll | 1 | 5 |
| Cass | 3 | 10 |
| Clark | 5 | 20 |
| Clay | 2 | 7 |
| Clinton | 2 | 8 |
| Crawford | 1 | 3 |
| Davies | 2 | 8 |
| Dearborn | 3 | 12 |
| Decatur | 1 | 6 |
| DeKalb | 3 | 10 |
| Delaware | 6 | 24 |
| Dubois | 3 | 10 |

| | | | |
|----|------------|----|-----|
| 1 | Elkhart | 12 | 45 |
| 2 | Fayette | 1 | 6 |
| 3 | Floyd | 4 | 17 |
| 4 | Fountain | 1 | 4 |
| 5 | Franklin | 2 | 6 |
| 6 | Fulton | 1 | 5 |
| 7 | Gibson | 2 | 7 |
| 8 | Grant | 4 | 15 |
| 9 | Greene | 2 | 8 |
| 10 | Hamilton | 12 | 44 |
| 11 | Hancock | 4 | 14 |
| 12 | Harrison | 2 | 9 |
| 13 | Hendricks | 7 | 26 |
| 14 | Henry | 3 | 11 |
| 15 | Howard | 5 | 19 |
| 16 | Huntington | 2 | 9 |
| 17 | Jackson | 2 | 9 |
| 18 | Jasper | 2 | 8 |
| 19 | Jay | 1 | 5 |
| 20 | Jefferson | 2 | 7 |
| 21 | Jennings | 2 | 6 |
| 22 | Johnson | 7 | 27 |
| 23 | Knox | 2 | 9 |
| 24 | Kosciusko | 5 | 19 |
| 25 | LaGrange | 3 | 10 |
| 26 | Lake | 30 | 114 |
| 27 | LaPorte | 6 | 24 |
| 28 | Lawrence | 3 | 10 |
| 29 | Madison | 7 | 28 |
| 30 | Marion | 48 | 183 |
| 31 | Marshall | 3 | 12 |
| 32 | Martin | 1 | 3 |
| 33 | Miami | 2 | 9 |
| 34 | Monroe | 5 | 19 |
| 35 | Montgomery | 2 | 9 |
| 36 | Morgan | 4 | 17 |
| 37 | Newton | 1 | 4 |
| 38 | Noble | 3 | 12 |
| 39 | Ohio | 0 | 1 |
| 40 | Orange | 1 | 5 |
| 41 | Owen | 1 | 6 |
| 42 | Parke | 1 | 4 |
| 43 | Perry | 1 | 4 |
| 44 | Pike | 1 | 3 |
| 45 | Porter | 10 | 36 |
| 46 | Posey | 2 | 7 |
| 47 | Pulaski | 1 | 4 |
| 48 | Putnam | 2 | 8 |
| 49 | Randolph | 2 | 6 |
| 50 | Ripley | 2 | 7 |
| 51 | Rush | 1 | 4 |
| 52 | St. Joseph | 16 | 59 |
| 53 | Scott | 1 | 5 |
| 54 | Shelby | 3 | 11 |

| | | | |
|----|-------------|---|----|
| 1 | Spencer | 1 | 5 |
| 2 | Starke | 2 | 6 |
| 3 | Steuben | 2 | 8 |
| 4 | Sullivan | 1 | 5 |
| 5 | Switzerland | 1 | 2 |
| 6 | Tippecanoe | 7 | 26 |
| 7 | Tipton | 1 | 4 |
| 8 | Union | 0 | 2 |
| 9 | Vanderburgh | 9 | 36 |
| 10 | Vermillion | 1 | 4 |
| 11 | Vigo | 6 | 22 |
| 12 | Wabash | 2 | 9 |
| 13 | Warren | 1 | 2 |
| 14 | Warrick | 4 | 13 |
| 15 | Washington | 2 | 7 |
| 16 | Wayne | 4 | 16 |
| 17 | Wells | 2 | 7 |
| 18 | White | 2 | 6 |
| 19 | Whitley | 2 | 8 |

(c) A county may assign to another county, for compensation or otherwise, any part of the county's unused maximum male or female daily offender count for any period. The amount of the count assigned to another county:

- (1) increases the maximum male or female daily offender count for the county to which it is assigned; and
- (2) decreases the maximum male or female daily offender count for the county from which it is assigned;

for the period of the assignment.

(d) An assignment under subsection (c) must be in writing and is effective only after written notice of the assignment is delivered to the department.

(e) If:

- (1) a county assigns any part of its maximum male or female daily offender count to another county; and
- (2) the other county uses the assignment to commit or award guardianship over an offender to the department;

the department shall bill the county that makes the assignment for the amount payable under section 3 of this chapter. The county to which the assignment is made shall reimburse the county making the assignment for the amount billed under this subsection.

SECTION 64. IC 11-10-11.5-1, AS AMENDED BY P.L.90-2000, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. This chapter applies to a person:

- (1) who is committed to the department under IC 35-50 for one (1) or more felonies other than murder; and
- (2) against whom a court imposed a sentence of at least **one and one-half (1.5) years, if the offender is a nonviolent offender, or two (2) years if the person is not a nonviolent offender.**

SECTION 65. IC 11-10-11.5-5, AS AMENDED BY P.L.90-2000, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) This section applies to a person if the most serious offense for which the person is committed is a Class C or Class D felony.

(b) Unless the department has received:

- (1) an order under IC 35-38-1-24 **or IC 35-38-1-24.5, as applicable;** or
- (2) a warrant order of detainer seeking the transfer of the person to a county or another jurisdiction;

the department shall assign a person to a minimum security classification and place the person in

1 a community transition program beginning with the person's community transition program
2 commencement date until the person completes the person's fixed term of imprisonment, less the
3 credit time the person has earned with respect to the term. **However, a nonviolent offender**
4 **may not be assigned to a community transition program that is a nonprofit or faith based**
5 **community transition program if the offender submits in writing to the department an**
6 **objection to the placement.**

7 SECTION 66. IC 11-10-11.5-5.5 IS ADDED TO THE INDIANA CODE AS A NEW
8 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 5.5. (a) This section**
9 **applies to a person if the most serious offense for which the person is committed is a Class**
10 **A or Class B felony and the person is a nonviolent offender.**

11 **(b) Unless the department has received:**

12 **(1) an order under IC 35-38-1-24.5; or**

13 **(2) a warrant order of detainer seeking the transfer of the person to a county or**
14 **another jurisdiction;**

15 **the department shall assign a person to a minimum security classification and place the**
16 **person in a community transition program beginning with the person's community**
17 **transition program commencement date until the person completes the person's fixed term**
18 **of imprisonment, less the credit time the person has earned with respect to the term.**
19 **However, a nonviolent offender may not be assigned to community transition program that**
20 **is a nonprofit or faith based community transition program if the offender submits in**
21 **writing to the department an objection to the placement.**

22 SECTION 67. IC 11-10-11.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
23 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]:

24 **Chapter 11.7. Minimum Security Release to Nonprofit or Faith Based Community**
25 **Transition Program**

26 **Sec. 1. This chapter provides an alternative minimum security release program for**
27 **nonviolent offenders who are not yet eligible to be placed in a community transition**
28 **program and are not residents of another state.**

29 **Sec. 2. A nonviolent offender who is committed to the department may file a written**
30 **request with the department and the court that sentenced the nonviolent offender to the**
31 **department for placement in a nonprofit or faith based community transition program not**
32 **sooner than ninety (90) actual days after the nonviolent offender begins serving the**
33 **nonviolent offender's sentence in a department facility.**

34 **Sec. 3. A copy of the written request under section 2 of this chapter must be sent to the**
35 **prosecuting attorney in the county of the sentencing court.**

36 **Sec. 4. If a nonviolent offender is sentenced by more than one (1) court, the nonviolent**
37 **offender must petition each court that sentenced the nonviolent offender to the department.**

38 **Sec. 5. The department shall notify a nonviolent offender and any victim of the**
39 **nonviolent offender's crime of the right to submit a written statement to the department**
40 **and the court regarding the nonviolent offender's assignment to a nonprofit or faith based**
41 **community transition program. If the name or address of a victim changes after the**
42 **nonviolent offender is sentenced for the offense, and the nonviolent offender's sentence may**
43 **result in the nonviolent offender's assignment to a nonprofit or faith based community**
44 **transition program, the victim is responsible for notifying the department of the name or**
45 **address change.**

46 **Sec. 6. A nonviolent offender or a victim of the nonviolent offender's crime who wishes**
47 **to submit a written statement under section 5 of this chapter must submit the statement to**
48 **the department and court not later than ten (10) working days after receiving notice from**
49 **the department.**

50 **Sec. 7. If the offender files a written request under this chapter, the department shall**
51 **assign a nonviolent offender to a minimum security classification and place the nonviolent**
52 **offender in a nonprofit or faith based community transition program unless the court**
53 **issues an order under IC 35-38-1-24.5(b) or no nonprofit or faith based community**
54 **transition program will accept the offender.**

1 Sec. 8. A nonviolent offender who is placed in a nonprofit or faith based community
2 transition program must be provided a written copy of the rules of the program.

3 Sec. 9. The nonprofit or faith based community transition program must notify the
4 nonviolent offender that a violation of the rules of the program or the commission of a
5 criminal offense during the period that the nonviolent offender is in the program will result
6 in a notice of violation being filed in the court that sentenced the offender.

7 Sec. 10. If a notice of violation is filed under section 9 of this chapter the nonviolent
8 offender shall be returned to the department facility that released the nonviolent offender
9 to the program pending the outcome of the alleged violation.

10 Sec. 11. (a) The court in which the notice is filed may revoke a nonviolent offender's
11 placement in a nonprofit or faith based community transition program if:

12 (1) the nonviolent offender has violated a condition of the program or committed a
13 criminal offense during the period the nonviolent offender is in the program ; and

14 (2) a petition to revoke the nonviolent offender's placement in the program is filed by
15 the program not later than forty-five (45) days after the rule violation or crime occurs.

16 (b) The court shall conduct a hearing concerning the alleged violation.

17 (c) The prosecuting attorney for the county in which the petition to revoke is filed shall
18 represent the state in the hearing.

19 (d) The state must prove the violation by a preponderance of the evidence. The evidence
20 shall be presented in open court. The nonviolent offender is entitled to confrontation,
21 cross-examination, and representation by counsel.

22 (e) If the court finds that the nonviolent offender has violated a condition of the
23 program or committed a criminal offense at any time before termination of the program
24 and the petition to revoke is filed within the period allowed under subsection (a)(2), the
25 court shall return the nonviolent offender to the department facility that released the
26 nonviolent offender to the program.

27 Sec. 12. (a) A nonviolent offender who is returned to the department after final
28 adjudication under section 11 of this chapter may reapply for placement in a nonprofit or
29 faith based community transition program not sooner than ninety (90) days after the
30 nonviolent offender is returned to the department and a final unappealable order revoking
31 the placement is issued under section 11 of this chapter. However, the department may
32 deny placement in a nonprofit or faith based community transition program if the
33 nonviolent offender was returned to the department for violation of a rule or a
34 misdemeanor offense and the department determines that further placements under this
35 chapter are inappropriate.

36 (b) The requirements of this chapter regarding an initial application apply to
37 reapplication under subsection (a). However, the department may suspend or amend a
38 requirement of this chapter as it relates to reapplication if the department determines a
39 requirement is unnecessary or duplicative.

40 Sec. 13. A nonviolent offender who is placed in a nonprofit or faith based community
41 transition program receives credit time under IC 35-50-6.

42 Sec. 14. The department may continue the placement of a nonviolent offender who is
43 placed in a nonprofit or faith based community transition program before the nonviolent
44 offender becomes eligible to be placed in a community transition program under
45 IC 11-10-11.5 through the term of the offender's placement in a community transition
46 program without complying with IC 11-10-11.5-2 or IC 11-10-11.5-4.5.

47 Sec. 15. IC 11-10-11.5-12 and IC 11-10-11.5-14 apply to medical care while an offender
48 is in a placement under this chapter.

49 Sec. 16. IC 11-12-10-2.5 applies to a transfer of placement from one (1) county to
50 another to place the nonviolent offender in the offender's county of residence.

51 Sec. 17. The probation officers of the sentencing court, if:

52 (1) the offender is placed in the county of sentencing; or

53 (2) the court taking jurisdiction of the placement if the offender is transferred under
54 IC 11-12-10-2.5;

1 shall assist a nonprofit or faith based community transition program with overseeing the
2 placement of a nonviolent offender.

3 SECTION 68. IC 11-12-10-0.5 IS ADDED TO THE INDIANA CODE AS A NEW
4 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 0.5. This chapter does**
5 **not apply to a community transition program that is a nonprofit or faith based community**
6 **transition program.**

7 SECTION 69. IC 11-12-10-3, AS ADDED BY P.L.273-1999, SECTION 209, IS AMENDED
8 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 3. (a)** There is established a
9 community transition program fund for each community transition program. The fund shall be
10 administered by the community corrections advisory board in each county served by a
11 community corrections program. In a county that is not served by a community corrections
12 program, the courts in the county with felony jurisdiction shall jointly administer the fund.
13 Money in the fund may be used for community corrections programs and, in counties that are not
14 served by a community corrections program, for probation services.

15 **(b) Money in a community transition program fund at the end of a state fiscal year does**
16 **not revert to the state general fund and is not subject to transfer to any other fund or to**
17 **transfer, assignment, or reassignment for another use or purpose by the state board of**
18 **finance or the budget agency under IC 4-9.1-1-7, IC 4-12-1-12, IC 4-13-2-23, or another**
19 **law.**

20 SECTION 70. IC 11-12-11 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER
21 TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

22 **Chapter 11. Nonprofit and Faith Based Community Transition Program**

23 **Sec. 1. (a)** A nonprofit or faith based community transition program is eligible to receive
24 nonviolent offenders under this chapter upon written approval by the department.

25 **(b)** A nonprofit or faith based community transition program must submit an
26 application for enrollment to the department.

27 **(c)** The application for enrollment shall be developed by the department.

28 **Sec. 2. (a)** The department shall issue a written approval or denial of an application for
29 enrollment within sixty (60) days of the receipt of the application. However, the
30 department may extend the period for approval by an additional sixty (60) days for good
31 cause.

32 **(b)** A nonprofit or faith based community transition program must provide information
33 in addition to the information required in the application, as requested by the department.

34 **Sec. 3.** Subject to section 4 of this chapter, a nonprofit or faith based community
35 transition program that receives written approval of its program under section 2 of this
36 chapter is eligible to receive placement of a nonviolent offender under IC 11-10-11.5 or
37 IC 11-10-11.7.

38 **Sec. 4.** The department and the nonprofit or faith based community transition program
39 shall enter into an agreement governing placements of nonviolent offenders with the
40 program before any nonviolent offender may be placed with the program. The department
41 may terminate a program's eligibility to receive placements under IC 11-10-11.5 or
42 IC 11-10-11.7, or both, if the program fails to comply with the agreement.

43 **Sec. 5. (a)** The department shall reimburse a nonprofit or faith based community
44 transition program on a per diem basis for services provided to persons assigned to a
45 community transition program under IC 11-10-11.5 or IC 11-10-11.7.

46 **(b)** The department shall set the per diem rate under this section. In setting the per diem
47 rate for a community, the department may consider the direct costs incurred by the
48 nonprofit or faith based community transition program to provide the program. The per
49 diem may not be less than fifty percent (50%) of the amount that a community would
50 receive under IC 11-12-2 and IC 11-12-10 for the same services.

51 **(c)** The per diem rate paid under this section shall be paid from appropriations to the
52 department for community corrections programs or for the community transition program
53 fund, or both.

54 SECTION 71. IC 12-15-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY

1, 2003]: Sec. 16. (a) Each:

(1) school corporation; or

(2) school corporation's employed, licensed, or qualified provider;

must enroll in a program to use federal funds under the Medicaid program (IC 12-15-1 et seq.) with the intent to share the costs of services that are reimbursable under the Medicaid program and that are provided to eligible children by the school corporation. However, a school corporation or a school corporation's employed, licensed, or qualified provider is not required to file any claims or participate in the program developed under this section.

(b) The office of Medicaid policy and planning and the department of education may develop policies and adopt rules to administer the program developed under this section.

(c) ~~The federal reimbursement for paid claims that are submitted by the school corporations under the program required under this section must be distributed to the school corporations:~~
Three percent (3%) of the federal reimbursement for paid claims that are submitted by the school corporation under the program required under this section must be:

(1) distributed to the state general fund for administration of the program, and

(2) used for consulting to encourage participation in the program.

The remainder of the federal reimbursement for services provided under this section must be distributed to the school corporations. The state shall retain the nonfederal share of the reimbursement for Medicaid services provided under this section.

(d) The office of Medicaid policy and planning, with the approval of the budget agency and after consultation with the department of education, shall establish procedures for the timely distribution of federal reimbursement due to the school corporations. The distribution procedures may provide for offsetting reductions to distributions of state tuition support or other state funds to school corporations in the amount of the nonfederal reimbursements required to be retained by the state under subsection (c).

SECTION 72. IC 21-1-30-2, AS AMENDED BY P.L.111-2002, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. For purposes of computation under this chapter, the following shall be used:

(1) Kindergarten pupils shall be counted as five-tenths (0.5). All other pupils shall be counted as one (1).

(2) The number of pupils shall be the number of pupils used in determining ADM, as defined by IC 21-3-1.6, for the current year.

(3) The staff cost amount for a school corporation is ~~sixty-eight thousand four hundred forty-two dollars (\$68,442) for 2002 and~~ sixty-nine thousand eight hundred eleven dollars (\$69,811). ~~for 2003.~~

(4) The guaranteed amount for a school corporation is the primetime allocation, before any penalty is assessed under this chapter, that the school corporation would have received under this chapter for the 1999 calendar year.

(5) The at-risk index is the index determined under IC 21-3-1.6-1.1.

(6) The following apply to determine whether amounts received under this chapter have been devoted to reducing class size in kindergarten through grade 3 as required by section 3(b) of this chapter:

(A) Except as permitted under section 5.5 of this chapter, only a licensed teacher who is an actual classroom teacher in a regular instructional program is counted as a teacher.

(B) If a school corporation is granted approval under section 5.5 of this chapter, the school corporation may include as one-third (1/3) of a teacher each classroom instructional aide who meets qualifications and performs duties prescribed by the Indiana state board of education.

SECTION 73. IC 21-1-30-3, AS AMENDED BY P.L.291-2001, SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. (a) The amount to be distributed to a school corporation under this chapter is the amount determined by the following formula:

STEP ONE: Determine the applicable target pupil teacher ratio for the school corporation as follows:

1 (A) If the school corporation's at-risk index is less than seventeen hundredths (0.17), the
2 school corporation's target pupil teacher ratio is eighteen to one (18:1).
3 (B) If the school corporation's at-risk index is at least seventeen hundredths (0.17) but
4 less than twenty-seven hundredths (0.27), the school corporation's target pupil teacher
5 ratio is fifteen (15) plus the result determined in item (iii):
6 (i) Determine the result of twenty-seven hundredths (0.27) minus the school
7 corporation's at-risk index.
8 (ii) Determine the item (i) result divided by one-tenth (0.1).
9 (iii) Determine the item (ii) result multiplied by three (3).
10 (C) If the school corporation's at-risk index is at least twenty-seven hundredths (0.27),
11 the school corporation's target pupil teacher ratio is fifteen to one (15:1).
12 STEP TWO: Determine the result of:
13 (A) the ADM of the school corporation, as determined under section 2(2) of this chapter,
14 in kindergarten through grade 3 for the current school year; divided by
15 (B) the school corporation's target pupil teacher ratio, as determined in STEP ONE.
16 STEP THREE: Determine the result of:
17 (A) the total regular general fund revenue (the amount determined in STEP ONE of
18 IC 21-3-1.7-8) multiplied by seventy-five hundredths (0.75); divided by
19 (B) the school corporation's total ADM.
20 STEP FOUR: Determine the result of:
21 (A) the STEP THREE result; multiplied by
22 (B) the ADM of the school corporation, as determined under section 2(2) of this chapter
23 in kindergarten through grade 3 for the current school year.
24 STEP FIVE: Determine the result of:
25 (A) the STEP FOUR result; divided by
26 (B) the staff cost amount.
27 STEP SIX: Determine the greater of zero (0) or the result of:
28 (A) the STEP TWO amount; minus
29 (B) the STEP FIVE amount.
30 STEP SEVEN: Determine the result of:
31 (A) the STEP SIX amount; multiplied by
32 (B) the staff cost amount.
33 STEP EIGHT: Determine the greater of the STEP SEVEN amount or the school
34 corporation's guaranteed amount.
35 STEP NINE: If the amount the school corporation received under this chapter in the
36 previous calendar year is greater than zero (0), determine the lesser of:
37 (A) the STEP EIGHT amount; or
38 (B) the amount the school corporation received under this chapter for the previous
39 calendar year multiplied by one hundred seven and one-half percent (107.5%).
40 ~~For 2000 calculations, the amount the school corporation received under this chapter for the~~
41 ~~previous calendar year is the 1999 calendar year allocation, before any penalty was assessed~~
42 ~~under this chapter.~~
43 (b) The amount received under this chapter shall be devoted to reducing class size in
44 kindergarten through grade 3. A school corporation shall compile class size data for kindergarten
45 through grade 3 and report the data to the department of education for purposes of maintaining
46 compliance with this chapter.
47 SECTION 74. IC 21-1-30-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION
48 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 10. This chapter expires**
49 **January 1, 2006.**
50 SECTION 75. IC 21-2-4-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
51 READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 8. A school corporation may**
52 **transfer money to or from the debt service fund under IC 21-2-11-4.**
53 SECTION 76. IC 21-2-11-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
54 1, 2003]: Sec. 4. (a) Any lawful school expenses payable from any other fund of the school

corporation, including ~~without limitation~~ debt service and capital outlay, ~~but excluding costs~~ attributable to transportation (as defined in IC 21-2-11.5-2) may be budgeted in and paid from the general fund.

(b) In addition, remuneration for athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-6.1-3) may be budgeted in and paid from the school corporation's general fund.

(c) **A school corporation may transfer money in a fund maintained by the school corporation (other than the special education preschool fund (IC 21-2-17-1) or the school bus replacement fund (IC 21-2-11.5-2) that is obtained from:**

(1) a source other than a state distribution or local property taxation; or

(2) a state distribution or a property tax levy that is required to be deposited in the fund;

to any other fund. A transfer under subdivision (2) may not be the sole basis for reducing the property tax levy for the fund from which the money is transferred or the fund to which money is transferred. Money transferred under this subsection may be used only to pay costs, including debt service, attributable to reductions in funding for transportation distributions under IC 21-3-3.1, including reimbursements associated with transportation costs for special education and vocational programs under IC 21-3-3.1-4, and ADA flat grants under IC 21-3-4.5. The property tax levy for a fund from which money was transferred may not be increased to replace the money transferred to another fund.

(d) The total amount transferred under subsection (c) may not exceed the following:

(1) For the period beginning July 1, 2003, and ending June 30, 2004, the total amount of state funding received for transportation distributions under IC 21-3-3.1, including reimbursements associated with transportation costs for special education and vocational programs under IC 21-3-3.1-4, and ADA flat grants under IC 21-3-4.5 for the same period.

(2) For the period beginning July 1, 2004, and ending June 30, 2005, the product of:

(A) the amount determined under subdivision (1); multiplied by

(B) two (2).

SECTION 77. IC 21-2-11.5-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6. A school corporation may transfer money to or from the school transportation fund or school bus replacement fund under IC 21-2-11-4.**

SECTION 78. IC 21-2-15-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 12. (a)** Interest on the capital projects fund, including the fund's pro rata share of interest earned on the investment of total money on deposit, shall be deposited in the fund. However, the governing body may adopt a resolution to transfer any interest earned on money on deposit in the capital projects fund to the school corporation's general fund.

(b) A school corporation may transfer money from the capital projects fund under IC 21-2-11-4.

SECTION 79. IC 21-3-1.7-6.6, AS AMENDED BY P.L.291-2001, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 6.6.** For purposes of this chapter, a school corporation's "adjusted ADM" for the current year is the result determined under the following formula:

STEP ONE: Determine the greatest of the following:

(A) The school corporation's ADM for the year preceding the current year by three (3) years.

(B) The school corporation's ADM for the year preceding the current year by two (2) years.

(C) The school corporation's ADM for the year preceding the current year by one (1) year.

(D) The school corporation's ADM for the current year.

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the school corporation's ADM for the year preceding the current year by four (4)

1 years; minus
 2 (B) the STEP ONE amount.
 3 STEP THREE: Determine the greatest of the following:
 4 (A) The school corporation's ADM for the year preceding the current year by two (2)
 5 years.
 6 (B) The school corporation's ADM for the year preceding the current year by one (1)
 7 year.
 8 (C) The school corporation's ADM for the current year.
 9 STEP FOUR: Determine the greater of zero (0) or the result of:
 10 (A) the school corporation's ADM for the year preceding the current year by three (3)
 11 years; minus
 12 (B) the STEP THREE amount.
 13 STEP FIVE: Determine the greater of the following:
 14 (A) The school corporation's ADM for the year preceding the current year by one (1)
 15 year.
 16 (B) The school corporation's ADM for the current year.
 17 STEP SIX: Determine the greater of zero (0) or the result of:
 18 (A) the school corporation's ADM for the year preceding the current year by two (2)
 19 years; minus
 20 (B) the STEP FIVE amount.
 21 STEP SEVEN: Determine the greater of zero (0) or the result of:
 22 (A) the school corporation's ADM for the year preceding the current year by one (1)
 23 year; minus
 24 (B) the school corporation's ADM for the current year.
 25 STEP EIGHT: Determine the sum of the following:
 26 (A) The STEP TWO result multiplied by two-tenths (0.2).
 27 (B) The STEP FOUR result multiplied by four-tenths (0.4).
 28 (C) The STEP SIX result multiplied by six-tenths (0.6).
 29 (D) The STEP SEVEN result multiplied by eight-tenths (0.8).
 30 STEP NINE: Determine the result of:
 31 (A) the school corporation's ADM for the current year; plus
 32 (B) the STEP EIGHT result.
 33 **STEP TEN: Determine the result of the school corporation's ADM for 2003 plus the**
 34 **greater of:**
 35 **(A) zero (0); or**
 36 **(B) the quotient of:**
 37 **(i) the difference between the STEP NINE result minus the school corporation's**
 38 **ADM for 2003;**
 39 **(ii) divided by three (3).**
 40 **STEP ELEVEN: Determine the lesser of the STEP NINE result or the STEP TEN**
 41 **result.**
 42 Round the result to the nearest five-tenths (0.5).
 43 SECTION 80. IC 21-3-1.7-6.7, AS AMENDED BY P.L.111-2002, SECTION 7, IS
 44 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6.7. (a) For each
 45 school corporation, the index used in subsection (b) is determined under the following STEPS:
 46 STEP ONE: Determine the greater of zero (0) or the result of the following:
 47 (1) Multiply the school corporation's at risk index by ~~twenty-three~~ **twenty-five**
 48 ~~hundredths (0.23) in 2002 and twenty-five hundredths (0.25) in 2003:~~ **(0.25).**
 49 (2) Divide the result under subdivision (1) by three thousand seven hundred thirty-six
 50 ten-thousandths (0.3736).
 51 (3) Subtract ~~three hundred sixty-four ten-thousandths (0.0364) in 2002 and three~~
 52 ~~hundred ninety-five ten-thousandths (0.0395) in 2003~~ from the result under subdivision
 53 (2).
 54 STEP TWO: Determine the greater of zero (0) or the result of the following:

- 1 (1) Multiply the percentage of the school corporation's students who were eligible for
2 free lunches in the school year ending in 2001 by ~~twenty-three hundredths (0.23) in~~
3 ~~2002 and~~ twenty-five hundredths (0.25). ~~in 2003:~~
- 4 (2) Divide the result under subdivision (1) by seven hundred twenty-three thousandths
5 (0.723).
- 6 STEP THREE: Determine the greater of zero (0) or the result of the following:
- 7 (1) Multiply the percentage of the school corporation's students who were classified as
8 limited English proficient in the school year ending in 2000 by ~~twenty-three hundredths~~
9 ~~(0.23) in 2002 and~~ twenty-five hundredths (0.25). ~~in 2003:~~
- 10 (2) Divide the result under subdivision (1) by one thousand seven hundred fifteen
11 ten-thousandths (0.1715).
- 12 STEP FOUR: Determine the result of:
- 13 (1) the sum of the results in STEPS ONE through THREE; divided by
14 (2) three (3).
- 15 STEP FIVE: Determine the result of one (1) plus the STEP FOUR result.
- 16 (b) A school corporation's target revenue per ADM for a calendar year is the result
17 determined under STEP SIX of the following formula:
- 18 STEP ONE: Determine the result under clause (B) of the following formula:
- 19 (A) Determine the result of:
- 20 (i) four thousand ~~four~~ **five** hundred ~~forty ninety~~ dollars ~~(\$4,440)~~ **(\$4,590)** in 2002
21 **2004** and four thousand ~~five~~ **six** hundred ~~sixty thirty~~ dollars ~~(\$4,560)~~ **(\$4,630)** in
22 ~~2003; 2005;~~ multiplied by
- 23 (ii) the index determined for the school corporation under subsection (a).
- 24 (B) Multiply the clause (A) result by the school corporation's adjusted ADM for the
25 current year.
- 26 STEP TWO: Divide the school corporation's previous year revenue by the school
27 corporation's adjusted ADM for the previous year.
- 28 STEP THREE: ~~Multiply the subsection (a) STEP FIVE result by the following:~~
- 29 ~~(A) If the STEP TWO result is not more than:~~
- 30 ~~(i) four thousand four hundred forty dollars (\$4,440) in 2002; and~~
31 ~~(ii) four thousand five hundred sixty dollars (\$4,560) in 2003;~~
32 ~~multiply by ninety dollars (\$90):~~
- 33 ~~(B) If the STEP TWO result is:~~
- 34 ~~(i) more than four thousand four hundred forty dollars (\$4,440) and not more than five~~
35 ~~thousand five hundred twenty-five dollars (\$5,525) in 2002; or~~
36 ~~(ii) more than four thousand five hundred sixty dollars (\$4,560) and not more than five~~
37 ~~thousand eight hundred twenty-five dollars (\$5,825) in 2003;~~
38 ~~multiply by the result under clause (C):~~
- 39 ~~(C) Determine the result of:~~
- 40 ~~(i) The STEP TWO result minus four thousand four hundred forty dollars (\$4,440) in~~
41 ~~2002 and four thousand five hundred sixty dollars (\$4,560) in 2003:~~
42 ~~(ii) Divide the item (i) result by one thousand eighty-five dollars (\$1,085) in 2002 and~~
43 ~~one thousand two hundred sixty-five dollars (\$1,265) in 2003:~~
44 ~~(iii) Multiply the item (ii) result by forty dollars (\$40):~~
45 ~~(iv) Subtract the item (iii) result from ninety dollars (\$90):~~
- 46 ~~(D) If the STEP TWO result is more than~~
- 47 ~~(i) five thousand five hundred twenty-five dollars (\$5,525) in 2002; and~~
48 ~~(ii) five thousand eight hundred twenty-five dollars (\$5,825); in 2003;~~
49 ~~multiply by fifty dollars (\$50):~~
- 50 STEP FOUR: Add the STEP TWO result and the STEP THREE result.
- 51 STEP FIVE: Determine the greatest of the following:
- 52 (A) Multiply the STEP ~~FOUR TWO~~ result by the school corporation's adjusted ADM
53 for the current year.
- 54 (B) Multiply the school corporation's previous year revenue by one and ~~two-hundredths~~

~~(1.02): one hundred seventy-five ten-thousandths (1.0175).~~

(C) The STEP ONE amount.

STEP FOUR: Determine the lesser of:

(A) The STEP THREE amount.

(B) Multiply the school corporation's previous year revenue by one and three-hundredths (1.03).

~~STEP SIX:~~ **FIVE:** Divide the ~~STEP FIVE~~ **FOUR** amount by the school corporation's adjusted ADM for the current year.

SECTION 81. IC 21-3-1.7-6.8, AS AMENDED BY P.L.85-2002, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6.8. A school corporation's target general fund property tax rate for purposes of IC 6-1.1-19-1.5 is the result determined under STEP THREE of the following formula:

STEP ONE: This STEP applies only if the amount determined in STEP FIVE of the formula in section 6.7(b) of this chapter minus the result determined in STEP ONE of the formula in section 6.7(b) of this chapter is greater than zero (0). Determine the result under clause (E) of the following formula:

(A) Divide the school corporation's ~~2002~~ assessed valuation by the school corporation's current ADM.

(B) Divide the clause (A) result by ten thousand (10,000).

(C) Determine the greater of the following:

(i) The clause (B) result.

(ii) ~~Thirty-nine~~ **Forty-one** dollars (~~\$39~~) and **seventy-five cents (\$41.75)** in ~~2002~~ **2004** and ~~thirty-nine forty-three~~ dollars and ~~seventy-five sixty-five cents (\$39.75)~~ (**\$43.65**) in ~~2003:~~ **2005.**

(D) Determine the result determined under item (ii) of the following formula:

(i) Subtract the result determined in STEP ONE of the formula in section 6.7(b) of this chapter from the amount determined in STEP FIVE of the formula in section 6.7(b) of this chapter.

(ii) Divide the item (i) result by the school corporation's current ADM.

(E) Divide the clause (D) result by the clause (C) result.

(F) Divide the clause (E) result by one hundred (100).

STEP TWO: This STEP applies only if the amount determined in STEP FIVE of the formula in section 6.7(b) of this chapter is equal to STEP ONE of the formula in section 6.7(b) of this chapter and the result of clause (A) is greater than zero (0). Determine the result under clause (G) of the following formula:

(A) Add the following:

(i) An amount equal to the annual decrease in federal aid to impacted areas from the year preceding the ensuing calendar year by three (3) years to the year preceding the ensuing calendar year by two (2) years.

(ii) The portion of the maximum general fund levy for the year that equals the original amount of the levy imposed by the school corporation to cover the costs of opening a new school facility during the preceding year.

(B) Divide the clause (A) result by the school corporation's current ADM.

(C) Divide the school corporation's ~~2002~~ assessed valuation by the school corporation's current ADM.

(D) Divide the clause (C) result by ten thousand (10,000).

(E) Determine the greater of the following:

(i) The clause (D) result.

(ii) ~~Thirty-nine~~ **Forty-one** dollars (~~\$39~~) and **seventy-five cents (\$41.75)** in ~~2002~~ **2004** and ~~thirty-nine forty-three~~ dollars and ~~seventy-five sixty-five cents (\$39.75)~~ (**\$43.65**) in ~~2003:~~ **2005.**

(F) Divide the clause (B) result by the clause (E) amount.

(G) Divide the clause (F) result by one hundred (100).

STEP THREE: Determine the sum of:

1 (A) ~~ninety-one and eight-tenths cents (\$0.918) in 2002;~~ **seventy-one cents (\$0.71) in**
2 **2004;** and
3 (B) ~~ninety-five and eight-tenths cents (\$0.958) in 2003;~~ **sixty-four cents (\$0.64) in**
4 **2005;** and
5 if applicable, the STEP ONE or STEP TWO result.

6 SECTION 82. IC 21-3-1.7-9, AS AMENDED BY P.L.178-2002, SECTION 96, IS
7 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) Subject to the
8 amount appropriated by the general assembly for tuition support, the amount that a school
9 corporation is entitled to receive in tuition support for a year is the amount determined in section
10 8 of this chapter.

11 (b) If the total amount to be distributed as tuition support under this chapter, for enrollment
12 adjustment grants under section 9.5 of this chapter, for at-risk programs under section 9.7 of this
13 chapter, for academic honors diploma awards under section 9.8 of this chapter, for primetime
14 distributions under IC 21-1-30, for special education grants under IC 21-3-2.1, and for vocational
15 education grants under IC 21-3-12 for a particular year, exceeds:

16 (1) three billion ~~three five~~ hundred ~~sixty-three~~ **seventy-four** million ~~four hundred thousand~~
17 dollars (~~\$3,363,400,000~~) (**\$3,574,000,000**) in ~~2001;~~ **2003;**
18 (2) three billion ~~four six~~ hundred ~~thirty-seven~~ **ninety-two** million ~~one three~~ hundred
19 thousand dollars (~~\$3,437,100,000~~) (**\$3,692,300,000**) in ~~2002;~~ **2004;** and
20 (3) three billion ~~five seven~~ hundred ~~thirty-six~~ **fifty-six** million ~~five hundred thousand~~
21 dollars (~~\$3,536,500,000~~) (**\$3,756,000,000**) in 2003;

22 the amount to be distributed for tuition support under this chapter to each school corporation
23 during each of the last six (6) months of the year shall be reduced by the same dollar amount per
24 ADM (as adjusted by IC 21-3-1.6-1.1) so that the total reductions equal the amount of the
25 excess.

26 SECTION 83. IC 21-3-1.7-9.5, AS AMENDED BY P.L.93-2000, SECTION 4, IS
27 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9.5. (a) In addition to
28 the distribution under sections 8, 9.7, and 9.8 of this chapter, a school corporation is eligible for
29 an enrollment adjustment grant if the school corporation's:

30 (1) current ADM minus the school corporation's previous year ADM is at least two hundred
31 fifty (250); or
32 (2) current ADM divided by the school corporation's previous year ADM is at least one and
33 five-hundredths (1.05).

34 (b) The amount of the enrollment adjustment grant is the amount determined in STEP
35 THREE of the following formula:

36 STEP ONE: Determine the school corporation's target revenue per ADM divided by ~~three~~
37 ~~(3);~~ **six (6).**
38 STEP TWO: Determine the result of the school corporation's current ADM minus the
39 school corporation's previous year ADM.
40 STEP THREE: Multiply the STEP ONE result by the STEP TWO result.

41 (c) Notwithstanding any other provision, for purposes of computing the amount of a grant
42 under this section, "ADM" does not include an eligible pupil who is described in
43 IC 21-3-1.6-1.2(a).

44 SECTION 84. IC 21-3-1.7-9.7, AS AMENDED BY P.L.291-2001, SECTION 97, IS
45 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9.7. In addition to
46 the distributions under sections 8, 9.5, and 9.8 of this chapter for 1997 and thereafter, a school
47 corporation is eligible for an amount for at-risk programs in the amount determined in STEP SIX
48 of the following formula:

49 STEP ONE: Determine the greater of the following:

50 (A) The result determined under item (ii) of the following formula:

51 (i) Determine the result of the school corporation's at-risk index minus two-tenths
52 (0.2).
53 (ii) Multiply the item (i) result by seven-hundredths (0.07).

- 1 (B) Zero (0).
2 STEP TWO: Determine the greater of the following:
3 (A) The result determined under item (ii) of the following formula:
4 (i) Determine the result of the school corporation's at-risk index minus
5 fifteen-hundredths (0.15).
6 (ii) Multiply the item (i) result by eighteen-hundredths (0.18).
7 (B) Zero (0).

8 STEP THREE: Determine the result under clause (B) of the following formula:

- 9 (A) Determine the lesser of:
10 (i) the school corporation's at-risk index; or
11 (ii) fifteen-hundredths (0.15).
12 (B) Multiply the clause (A) result by one hundredth (0.01).

13 STEP FOUR: Add the STEP ONE result, the STEP TWO result, and the STEP THREE
14 result.

15 STEP FIVE: Multiply the STEP FOUR sum by the school corporation's current ADM.
16 Round the result to the nearest one-hundredth (0.01).

17 STEP SIX: Multiply the STEP FIVE product by ~~three thousand five hundred ninety-two~~
18 ~~dollars (\$3,592) in 2002 and~~ three thousand six hundred sixty-four dollars (\$3,664). ~~in~~
19 ~~2003.~~

20 SECTION 85. IC 21-3-1.7-9.8, AS AMENDED BY P.L.291-2001, SECTION 98, IS
21 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9.8. (a) In addition to
22 the distributions under sections 8, 9.5, and 9.7 of this chapter, a school corporation is eligible for
23 an honors diploma award in the amount determined under STEP TWO of the following formula:

24 STEP ONE: Determine the number of the school corporation's eligible pupils who
25 successfully completed an academic honors diploma program in the school year ending in
26 the previous calendar year.

27 STEP TWO: Multiply the STEP ONE amount by
28 ~~(1) nine hundred forty-four dollars (\$944) in 2002; and~~
29 ~~(2) nine hundred sixty-three dollars (\$963). in 2003.~~

30 (b) Each year the governing body of a school corporation may use the money that the school
31 corporation receives for an honors diploma award under this section to give ~~nine hundred~~
32 ~~forty-four dollars (\$944) in 2002 and~~ nine hundred sixty-three dollars (\$963) ~~in 2003~~ to each
33 eligible pupil in the school corporation who successfully completes an academic honors diploma
34 program in the school year ending in the previous calendar year.

35 SECTION 86. IC 21-3-1.7-10, AS AMENDED BY P.L.291-2001, SECTION 99, IS
36 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. This chapter
37 expires January 1, ~~2004.~~ **2006.**

38 SECTION 87. IC 21-3-2.1-7, AS ADDED BY P.L.111-2002, SECTION 9, AND
39 P.L.178-2002, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
40 2003]: Sec. 7. The amount of the grant that a school corporation is entitled to receive for special
41 education programs is equal to:

- 42 (1) the nonduplicated count of pupils in programs for severe disabilities multiplied by
43 ~~(A) eight thousand forty-five dollars (\$8,045) in 2002; and~~
44 ~~(B) eight thousand two hundred forty-six dollars (\$8,246); in 2003;~~ plus
45 (2) the nonduplicated count of pupils in programs of mild and moderate disabilities
46 multiplied by
47 ~~(A) two thousand one hundred eighty-three dollars (\$2,183) in 2002; and~~
48 ~~(B) two thousand two hundred thirty-eight dollars (\$2,238); in 2003;~~ plus
49 (3) the duplicated count of pupils in programs for communication disorders multiplied by
50 ~~(A) five hundred eighteen dollars (\$518) in 2002; and~~
51 ~~(B) five hundred thirty-one dollars (\$531); in 2003;~~ plus
52 (4) the cumulative count of pupils in homebound programs multiplied by
53 ~~(A) five hundred eighteen dollars (\$518) in 2002; and~~
54 ~~(B) five hundred thirty-one dollars (\$531). in 2003.~~

SECTION 88. IC 21-3-2.1-10, AS ADDED BY P.L.111-2002, SECTION 9, AND P.L.178-2002, SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 10. This chapter expires January 1, ~~2004~~: **2006**.

SECTION 89. IC 21-3-12-12, AS AMENDED BY P.L.291-2001, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. This chapter expires January 1, ~~2004~~: **2006**.

SECTION 90. IC 21-6.1-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 8. (a) It is the intent of the 1995 session of the general assembly that the state create a program to stabilize the state's general fund teacher pension expenditures as a percentage of the general fund budget.

(b) The pension stabilization fund is established. The pension stabilization fund shall be a part of the pre-1996 account, and shall be administered by the board of trustees of TRF in accordance with the powers and duties granted to the board of trustees in IC 21-6.1-3-6, IC 21-6.1-3-7, and IC 21-6.1-3-9 through IC 21-6.1-3-15.

(c) Amounts allocated to the pension stabilization fund under IC 4-30-16-3, a portion of employer reserve balance (as determined by the budget director so that the employer reserve is sufficient for the cash flow needs), and other amounts appropriated to the pension stabilization fund by the general assembly shall be deposited in the pension stabilization fund.

(d) ~~Expenditures from the fund may not be made until state fiscal year 2006. After June 30, 2003, and before July 1, 2004, the board of trustees of TRF shall use an amount not to exceed one hundred ninety million dollars (\$190,000,000) from the pension stabilization fund to pay the pre-1996 Indiana state teachers' retirement fund's pension liabilities for the state's fiscal year 2004. After June 30, 2004, and before July 1, 2005, the board of trustees of TRF shall use an amount not to exceed one hundred ninety million dollars (\$190,000,000) from the pension stabilization fund to pay the pre-1996 Indiana state teachers' retirement fund's pension liabilities for the state's fiscal year 2005.~~ After state fiscal year ~~2006~~; **2005**, payments from the fund will equal the pre-1996 Indiana state teachers' retirement fund pension liabilities for the current fiscal year minus the prior year's state general fund payments for the pre-1996 Indiana state teachers' retirement fund times the pension stabilization percentage. **(In state fiscal year 2006, the prior year's state general fund payments for the pre-1996 Indiana state teachers' retirement fund shall be treated as including the amount used under this section in the prior state fiscal year to pay pre-1996 Indiana state teachers' retirement fund's pension liabilities.)** The pension stabilization percentage shall be set at one hundred six percent (106%). The budget agency, after review by the state budget committee and with the approval of the governor, may change the pension stabilization percentage such that the present value of future payments from the fund equal the fund's balance plus the present value of future receipts to the fund, but the payments may not allow the fund balance to be negative.

(e) Money in the pension stabilization fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 91. IC 31-37-19-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) This section applies if a child is a delinquent child under IC 31-37-1.

(b) Except as provided in **subsection (c) or** section 10 of this chapter, the juvenile court may:

(1) enter any dispositional decree specified in section 5 of this chapter; and

(2) take any of the following actions:

(A) Award wardship to:

(i) the department of correction for housing in a correctional facility for children; or

(ii) a community based correctional facility for children.

Wardship under this subdivision does not include the right to consent to the child's adoption.

(B) If the child is less than seventeen (17) years of age, order confinement in a juvenile detention facility for not more than the lesser of:

(i) ninety (90) days; or

(ii) the maximum term of imprisonment that could have been imposed on the child if

1 the child had been convicted as an adult offender for the act that the child committed
2 under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal).

3 (C) If the child is at least seventeen (17) years of age, order confinement in a juvenile
4 detention facility for not more than the lesser of:

5 (i) one hundred twenty (120) days; or

6 (ii) the maximum term of imprisonment that could have been imposed on the child if
7 the child had been convicted as an adult offender for the act that the child committed
8 under IC 31-37-1 (or IC 31-6-4-1(b)(1) before its repeal).

9 (D) Remove the child from the child's home and place the child in another home or
10 shelter care facility. Placement under this subdivision includes authorization to control
11 and discipline the child.

12 (E) Award wardship to a person or shelter care facility. Wardship under this subdivision
13 does not include the right to consent to the child's adoption.

14 (F) Place the child in a secure private facility for children licensed under the laws of a
15 state. Placement under this subdivision includes authorization to control and discipline
16 the child.

17 (G) Order a person who is a respondent in a proceeding under IC 31-37-16 to refrain
18 from direct or indirect contact with the child.

19 **(c) A juvenile court may not award wardship of a child to the department of correction**
20 **if awarding wardship to the department of correction would cause the county to exceed the**
21 **county's maximum daily offender count under IC 11-10-2-3.5 for children of the child's**
22 **sex.**

23 SECTION 92. IC 31-37-19-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2003]: Sec. 7. (a) With respect to a wardship awarded under section 6(b)(2)(A) of this chapter,
25 a child may not be awarded to the department of correction, if the child:

26 (1) except as provided by subsection (b), is:

27 (A) less than twelve (12) years of age; or

28 (B) at least eighteen (18) years of age;

29 at the time of the dispositional decree; or

30 (2) was determined to be a delinquent child because the child violated IC 7.1-5-7.

31 **(b) Except as provided in subsection (d),** a wardship may be awarded to the department of
32 correction if the child:

33 (1) is ten (10) or eleven (11) years of age; and

34 (2) is found to have committed an act that would have been murder if committed by an
35 adult.

36 (c) The department of correction may not confine a delinquent child, except as provided in
37 IC 11-10-2-10, at:

38 (1) an adult correctional facility; or

39 (2) a shelter care facility;

40 that houses persons charged with, imprisoned for, or incarcerated for crimes unless the child is
41 restricted to an area of the facility where the child may have not more than haphazard or
42 incidental sight or sound contact with persons charged with, imprisoned for, or incarcerated for
43 crimes.

44 **(d) A juvenile court may not award wardship of a child to the department of correction**
45 **if awarding wardship to the department of correction would cause the county to exceed the**
46 **county's maximum daily offender count under IC 11-10-2-3.5 for children of the child's**
47 **sex.**

48 SECTION 93. IC 31-37-19-9, AS AMENDED BY P.L.238-2001, SECTION 17, IS
49 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) This section
50 applies if a child is a delinquent child under IC 31-37-1.

51 **(b) Except as provided in subsection (d),** after a juvenile court makes a determination under
52 IC 5-2-12-4, the juvenile court may, in addition to an order under section 6 of this chapter, and if
53 the child:

54 (1) is at least thirteen (13) years of age and less than sixteen (16) years of age; and

1 (2) committed an act that, if committed by an adult, would be:
 2 (A) murder (IC 35-42-1-1);
 3 (B) kidnapping (IC 35-42-3-2);
 4 (C) rape (IC 35-42-4-1);
 5 (D) criminal deviate conduct (IC 35-42-4-2); or
 6 (E) robbery (IC 35-42-5-1) if the robbery was committed while armed with a deadly
 7 weapon or if the robbery resulted in bodily injury or serious bodily injury;
 8 order wardship of the child to the department of correction for a fixed period that is not longer
 9 than the date the child becomes eighteen (18) years of age, subject to IC 11-10-2-10.
 10 (c) Notwithstanding IC 11-10-2-5, the department of correction may not reduce the period
 11 ordered under this section (or IC 31-6-4-15.9(b)(8) before its repeal).
 12 **(d) A juvenile court may not award wardship of a child to the department of correction**
 13 **if awarding wardship to the department of correction would cause the county to exceed the**
 14 **county's maximum daily offender count under IC 11-10-2-3.5 for children of the child's**
 15 **sex.**
 16 SECTION 94. IC 31-37-22-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 17 1, 2003]: Sec. 7. (a) If the juvenile court modifies its disposition order under section 5 or 6 of
 18 this chapter, the court may order the child placed under one (1) of the following alternatives:
 19 (1) In a nonlocal secure private facility licensed under the laws of any state. Placement
 20 under this alternative includes authorization to control and discipline the child.
 21 (2) In a local secure private facility licensed under Indiana law. Placement under this
 22 alternative includes authorization to control and discipline the child.
 23 (3) In a local secure public facility.
 24 (4) In a local alternative facility approved by the juvenile court.
 25 (5) **Except as provided in subsection (d),** as a ward of the department of correction for
 26 housing in any correctional facility for children. Wardship under this alternative does not
 27 include the right to consent to the child's adoption. However, without a determination of
 28 unavailable housing by the department of correction, a child found to be subject to section 5
 29 or 6 of this chapter and placed in a secure facility of the department of correction may not
 30 be housed with any child found to be delinquent under any other provision of this article.
 31 (b) If the juvenile court places a child under subsection (a)(3) or (a)(4):
 32 (1) the length of the placement may not exceed thirty (30) days; and
 33 (2) the juvenile court shall order specific treatment of the child designated to eliminate the
 34 child's disobedience of the court's order of placement.
 35 (c) The juvenile court shall retain jurisdiction over any placement under this section (or
 36 IC 31-6-7-16(d) before its repeal) and shall review each placement every three (3) months to
 37 determine whether placement in a secure facility remains appropriate.
 38 **(d) A juvenile court may not place a child as a ward of the department of correction if**
 39 **placing the child as a ward of the department of correction would cause the county to**
 40 **exceed the county's maximum daily offender count under IC 11-10-2-3.5 for children of the**
 41 **child's sex.**
 42 SECTION 95. IC 34-6-2-38, AS AMENDED BY P.L.178-2002, SECTION 112, IS
 43 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 38. (a) "Employee"
 44 and "public employee", for purposes of section 91 of this chapter, IC 34-13-2, IC 34-13-3,
 45 IC 34-13-4, and IC 34-30-14, mean a person presently or formerly acting on behalf of a
 46 governmental entity, whether temporarily or permanently or with or without compensation,
 47 including members of boards, committees, commissions, authorities, and other instrumentalities
 48 of governmental entities, volunteer firefighters (as defined in IC 36-8-12-2), and elected public
 49 officials.
 50 (b) The term also includes attorneys at law whether employed by the governmental entity as
 51 employees or independent contractors and physicians licensed under IC 25-22.5 and optometrists
 52 who provide medical or optical care to confined offenders (as defined in IC 11-8-1) **or offenders**
 53 **placed with a nonprofit or faith based community transition program (as defined in**
 54 **IC 11-8-1-8.6) within the course of their employment by or contractual relationship with the**

1 department of correction **or a placement with a nonprofit or faith based community**
2 **transition program and volunteers or employees of a nonprofit or faith based community**
3 **transition program (as defined in IC 11-8-1-8.6) providing a placement for a person**
4 **committed to the department of correction.** However, the term does not include:

5 (1) an independent contractor (other than an attorney at law, a physician, or an optometrist
6 described in this section);

7 (2) an agent or employee of an independent contractor **(other than volunteers or**
8 **employees of a nonprofit or faith based community transition program (as defined in**
9 **IC 11-8-1-8.6));**

10 (3) a person appointed by the governor to an honorary advisory or honorary military
11 position; or

12 (4) a physician licensed under IC 25-22.5 with regard to a claim against the physician for an
13 act or omission occurring or allegedly occurring in the physician's capacity as an employee
14 of a hospital.

15 (c) A physician licensed under IC 25-22.5 who is an employee of a governmental entity (as
16 defined in IC 34-6-2-49) shall be considered a public employee for purposes of
17 IC 34-13-3-3(21).

18 (d) For purposes of IC 34-13-3 and IC 34-13-4, the term includes a person that engages in an
19 act or omission before July 1, 2004, in the person's capacity as:

20 (1) a contractor under IC 6-1.1-4-32;

21 (2) an employee acting within the scope of the employee's duties for a contractor under
22 IC 6-1.1-4-32;

23 (3) a subcontractor of the contractor under IC 6-1.1-4-32 that is acting within the scope of
24 the subcontractor's duties; or

25 (4) an employee of a subcontractor described in subdivision (3) that is acting within the
26 scope of the employee's duties.

27 SECTION 96. IC 34-13-3-3, AS AMENDED BY P.L.1-2002, SECTION 144, IS AMENDED
28 TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. A governmental entity, **for**
29 **purposes of subdivision (17), an individual or entity operating nonprofit or faith based**
30 **community transition program (as defined in IC 11-8-1-8.6), or an employee acting within**
31 **the scope of the employee's employment is not liable if a loss results from the following:**

32 (1) The natural condition of unimproved property.

33 (2) The condition of a reservoir, dam, canal, conduit, drain, or similar structure when used
34 by a person for a purpose that is not foreseeable.

35 (3) The temporary condition of a public thoroughfare or extreme sport area that results from
36 weather.

37 (4) The condition of an unpaved road, trail, or footpath, the purpose of which is to provide
38 access to a recreation or scenic area.

39 (5) The design, construction, control, operation, or normal condition of an extreme sport
40 area, if all entrances to the extreme sport area are marked with:

41 (A) a set of rules governing the use of the extreme sport area;

42 (B) a warning concerning the hazards and dangers associated with the use of the extreme
43 sport area; and

44 (C) a statement that the extreme sport area may be used only by persons operating
45 extreme sport equipment.

46 This subdivision shall not be construed to relieve a governmental entity from liability for
47 the continuing duty to maintain extreme sports areas in a reasonably safe condition.

48 (6) The initiation of a judicial or an administrative proceeding.

49 (7) The performance of a discretionary function; however, the provision of medical or
50 optical care as provided in IC 34-6-2-38 shall be considered as a ministerial act.

51 (8) The adoption and enforcement of or failure to adopt or enforce a law (including rules
52 and regulations), unless the act of enforcement constitutes false arrest or false
53 imprisonment.

54 (9) An act or omission performed in good faith and without malice under the apparent

1 authority of a statute which is invalid if the employee would not have been liable had the
2 statute been valid.

3 (10) The act or omission of anyone other than the governmental entity or the governmental
4 entity's employee.

5 (11) The issuance, denial, suspension, or revocation of, or failure or refusal to issue, deny,
6 suspend, or revoke, any permit, license, certificate, approval, order, or similar authorization,
7 where the authority is discretionary under the law.

8 (12) Failure to make an inspection, or making an inadequate or negligent inspection, of any
9 property, other than the property of a governmental entity, to determine whether the
10 property complied with or violates any law or contains a hazard to health or safety.

11 (13) Entry upon any property where the entry is expressly or impliedly authorized by law.

12 (14) Misrepresentation if unintentional.

13 (15) Theft by another person of money in the employee's official custody, unless the loss
14 was sustained because of the employee's own negligent or wrongful act or omission.

15 (16) Injury to the property of a person under the jurisdiction and control of the department
16 of correction if the person has not exhausted the administrative remedies and procedures
17 provided by section 7 of this chapter.

18 (17) Injury to the person or property of a person under supervision of a governmental entity
19 and who is:

20 (A) on probation; or

21 (B) assigned to an alcohol and drug services program under IC 12-23, a minimum
22 security release program under IC 11-10-8, **a community transition program under**
23 **IC 11-10-11.5, a nonprofit or faith based community transition program under**
24 **IC 11-10-11.7,** or a community corrections program under IC 11-12.

25 **For purposes of this subdivision, assignment of a person committed to the department**
26 **of correction to a program described in this subdivision shall be treated as a person**
27 **under the supervision of a governmental entity.**

28 (18) Design of a highway (as defined in IC 9-13-2-73) if the claimed loss occurs at least
29 twenty (20) years after the public highway was designed or substantially redesigned; except
30 that this subdivision shall not be construed to relieve a responsible governmental entity
31 from the continuing duty to provide and maintain public highways in a reasonably safe
32 condition.

33 (19) Development, adoption, implementation, operation, maintenance, or use of an
34 enhanced emergency communication system.

35 (20) Injury to a student or a student's property by an employee of a school corporation if the
36 employee is acting reasonably under a discipline policy adopted under IC 20-8.1-5.1-7(b).

37 (21) An error resulting from or caused by a failure to recognize the year 1999, 2000, or a
38 subsequent year, including an incorrect date or incorrect mechanical or electronic
39 interpretation of a date, that is produced, calculated, or generated by:

40 (A) a computer;

41 (B) an information system; or

42 (C) equipment using microchips;

43 that is owned or operated by a governmental entity. However, this subdivision does not
44 apply to acts or omissions amounting to gross negligence, willful or wanton misconduct, or
45 intentional misconduct. For purposes of this subdivision, evidence of gross negligence may
46 be established by a party by showing failure of a governmental entity to undertake an effort
47 to review, analyze, remediate, and test its electronic information systems or by showing
48 failure of a governmental entity to abate, upon notice, an electronic information system
49 error that caused damage or loss. However, this subdivision expires June 30, 2003.

50 (22) An act or omission performed in good faith under the apparent authority of a court
51 order described in IC 35-46-1-15.1 that is invalid, including an arrest or imprisonment
52 related to the enforcement of the court order, if the governmental entity or employee would
53 not have been liable had the court order been valid.

54 SECTION 97. IC 35-38-1-24, AS AMENDED BY P.L.90-2000, SECTION 17, IS

1 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) This section
2 applies to a person if:

3 (1) the most serious offense for which the person is committed is a Class C or Class D
4 felony; **and**

5 **(2) the person is not a nonviolent offender (as defined in IC 11-8-1-8.7).**

6 (b) Not later than forty-five (45) days after receiving a notice under IC 11-10-11.5-2, the
7 sentencing court may order the department of correction to retain control over a person until the
8 person completes the person's fixed term of imprisonment, less the credit time the person has
9 earned with respect to the term, if the court makes specific findings that support a determination:

10 (1) that placement of the person in a community transition program:

11 (A) places the person in danger of serious bodily injury or death; or

12 (B) represents a substantial threat to the safety of others; or

13 (2) of other good cause.

14 If the court issues an order under this section, the department of correction may not assign a
15 person to a community transition program.

16 (c) The court may make a determination under this section without a hearing. The court shall
17 consider any written statement presented to the court by a victim of the offender's crime or by an
18 offender under IC 11-10-11.5-4.5. The court in its discretion may consider statements submitted
19 by a victim after the time allowed for the submission of statements under IC 11-10-11.5-4.5.

20 (d) The court shall make written findings for a determination under this section, whether or
21 not a hearing was held.

22 (e) Not later than five (5) days after making a determination under this section, the court shall
23 send a copy of the order to the:

24 (1) prosecuting attorney where the person's case originated; and

25 (2) department of correction.

26 SECTION 98. IC 35-38-1-24.5, IS ADDED TO THE INDIANA CODE AS A NEW
27 SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: **Sec. 24.5. (a) This section**
28 **applies to a person if the person is:**

29 **(1) committed to the department for any felony; and**

30 **(2) a nonviolent offender (as defined in IC 11-8-1-8.7).**

31 (b) Not later than forty-five (45) days after receiving a notice under IC 11-10-11.5-2 or
32 IC 11-10-11.7-5, the sentencing court may order the department of correction to retain
33 control over a person until the person completes the person's fixed term of imprisonment,
34 less the credit time the person has earned with respect to the term, if the court makes
35 specific findings that support a determination that placement of the person in a nonprofit
36 or faith based community transition program under IC 11-10-11.7 or a community
37 transition program under IC 11-10-11.5:

38 (1) places the person in serious danger of serious bodily injury or death; or

39 (2) represents a substantial threat to the safety of others because one (1) or more of
40 the crimes for which the person is committed occurred under circumstances that
41 suggest a high probability that the person will harm another person upon the person's
42 placement in a minimum security assignment.

43 If the court issues an order under this section, the department of correction may not assign
44 a person to a nonprofit or faith based community transition program under IC 11-10-11.7
45 or a community transition program under IC 11-10-11.5. However, an adverse order under
46 this section prohibiting placement of a person in a nonprofit or faith based community
47 transition program under IC 11-10-11.7 before the person is eligible for placement in a
48 community transition program under IC 11-10-11.5, does not prohibit placement under
49 IC 11-10-11.5 when the person becomes eligible for that program.

50 (c) The court may make a determination under this section without a hearing. The court
51 shall consider any written statement presented to the court by a victim of the offender's
52 crime or by an offender under IC 11-10-11.5-4.5 or IC 11-10-11.7-6. The court in its
53 discretion may consider statements submitted by a victim after the time allowed for the
54 submission of statements under IC 11-10-11.5-4.5 or IC 11-10-11.7-6.

1 (d) The court shall make written findings for a determination under this section,
2 whether or not a hearing was held.

3 (e) Not later than five (5) days after making a determination under this section, the
4 court shall send a copy of the order to the:

5 (1) prosecuting attorney where the person's case originated; and
6 (2) department of correction.

7 SECTION 99. IC 35-38-1-25, AS AMENDED BY P.L.90-2000, SECTION 18, IS
8 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 25. (a) This section
9 applies to a person if:

10 (1) the most serious offense for which the person is committed is a Class A or Class B
11 felony; and

12 (2) the person is not a nonviolent offender (as defined in IC 11-8-1-8.7).

13 (b) A sentencing court may sentence a person or modify the sentence of a person to assign the
14 person to a community transition program for any period that begins after the person's
15 community transition program commencement date (as defined in IC 11-8-1-5.6) and ends when
16 the person completes the person's fixed term of imprisonment, less the credit time the person has
17 earned with respect to the term, if the court makes specific findings of fact that support a
18 determination that it is in the best interests of justice to make the assignment. The order may
19 include any other condition that the court could impose if the court had placed the person on
20 probation under IC 35-38-2 or in a community corrections program under IC 35-38-2.6.

21 (c) The court may make a determination under this section without a hearing. The court shall
22 consider any written statement presented to the court by a victim of the offender's crime or by an
23 offender under IC 11-10-11.5-4.5. The court in its discretion may consider statements submitted
24 by a victim after the time allowed for the submission of statements under IC 11-10-11.5-4.5.

25 (d) The court shall make written findings for a determination under this section, whether or
26 not a hearing was held.

27 (e) Not later than five (5) days after making a determination under this section, the court shall
28 send a copy of the order to the:

29 (1) prosecuting attorney where the person's case originated; and
30 (2) department of correction.

31 SECTION 100. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2003]:
32 IC 21-2-4-7; IC 21-2-11.5-5; IC 21-2-15-13.1.

33 SECTION 101. P.L.291-2001, SECTION 101, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2003]: SECTION 101. (a) Notwithstanding IC 21-3-1.6-1.2, as added by
35 this act, and IC 21-3-1.7, the tuition support determined under IC 21-3-1.7-8 for a school
36 corporation shall be reduced as follows:

37 (1) For 2001, the previous year's revenue determined without regard to IC 21-3-1.6-1.2, as
38 added by this act, shall be reduced by an amount determined under the following STEPS:

39 STEP ONE: Determine the difference between:

40 (A) the school corporation's average daily membership count for 2000, without regard
41 to IC 21-3-1.6-1.2, as added by this act; minus

42 (B) the school corporation's average daily membership count for 2000, as adjusted by
43 the school corporation under this act after applying IC 21-3-1.6-1.2, as added by this
44 act.

45 STEP TWO: Determine the result of:

46 (A) the school corporation's previous year's revenue under IC 21-3-1.7-3.1, without
47 regard to IC 21-3-1.6-1.2, as added by this act; divided by

48 (B) the school corporation's average daily membership for 2000, without regard to
49 IC 21-3-1.6-1.2, as added by this act.

50 STEP THREE: Multiply the STEP ONE result by the STEP TWO result.

51 STEP FOUR: Multiply the STEP THREE result by one-third (1/3).

52 (2) For 2002, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as
53 added by this act, shall be reduced by an amount equal to the result under the following:

54 (A) Determine the result of:

1 (i) the amount determined under STEP THREE of subdivision (1); minus
 2 (ii) the amount determined under STEP FOUR of subdivision (1).
 3 (B) Divide the clause (A) result by three (3).
 4 (C) Multiply the clause (B) result by one and three-hundredths (1.03).
 5 (3) For 2003, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as
 6 added by this act, shall be reduced by an amount equal to the reduction amount under
 7 subdivision (2) multiplied by one and two-hundredths (1.02).
 8 (4) For 2004, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as
 9 added by P.L.93-2000, shall be reduced by an amount equal to the reduction under
 10 subdivision (2) multiplied by one and two-hundredths (1.02). For 2005, the product of:
 11 (A) the reduction amount under subdivision (3) divided by three (3); multiplied by
 12 (B) one and three hundred seventy-five ten-thousandths (1.0375).
 13 (5) For 2006, the product of:
 14 (A) the reduction amount under subdivision (4); multiplied by
 15 (B) one and one hundred seventy-five ten-thousandths (1.0175).
 16 (6) For 2007, the product of:
 17 (A) the reduction amount under subdivision (5); multiplied by
 18 (B) one and one hundred seventy-five ten-thousandths (1.0175).
 19 (b) This SECTION expires January 1, 2005: 2008.
 20 SECTION 102. P.L.292-2002(ss), SECTION 209 IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2002 (RETROACTIVE)]: SECTION 209. (a) Notwithstanding
 22 P.L.291-2001, SECTION 38, the appropriation from the build Indiana fund FOR THE BUDGET
 23 AGENCY, twenty-first century research and technology fund for the biennium is zero dollars
 24 (\$0) and not fifty million dollars (\$50,000,000).
 25 (b) There is appropriated to the twenty-first century technology research and technology fund
 26 from the state general fund fifteen million dollars (\$15,000,000) for the period beginning July 1,
 27 2002, and ending June 30, 2003. The appropriation made by this section does not revert to the
 28 state general fund at the end of any state fiscal year.
 29 (c) There is appropriated to the twenty-first century technology research and technology fund
 30 from the state general fund fifteen million dollars (\$15,000,000) for the period beginning July 1,
 31 2003, and ending June 30, 2004. The appropriation made by this section does not revert to the
 32 state general fund at the end of any state fiscal year.
 33 SECTION 103. [EFFECTIVE JULY 1, 2003] (a) This SECTION applies only to Madison
 34 Consolidated Schools.
 35 (b) As used in this SECTION, "department" means the department of education.
 36 (c) The tuition support determined under IC 21-3-1.7-8 for the school corporation for
 37 the period beginning January 1, 2004, and ending December 31, 2004, shall be increased by
 38 the amount determined under the last of the following STEPS:
 39 STEP ONE: For the period beginning January 1, 2000, and ending December 31,
 40 2000, determine the school corporation's revenue under IC 21-3-1.7-3.1 without
 41 regard to IC 21-3-1.6-1.2.
 42 STEP TWO: For the period beginning January 1, 2000, and ending December 31,
 43 2000, determine the school corporation's revenue under IC 21-3-1.7-3.1, applying
 44 IC 21-3-1.6-1.2.,
 45 STEP THREE: Determine the difference between:
 46 (A) the STEP ONE amount; minus
 47 (B) the STEP TWO amount.
 48 STEP FOUR: Determine the reduction amount for the school corporation under P.L.
 49 291-2001(a)(1) STEP THREE.
 50 STEP FIVE: Determine the difference between:
 51 (A) the STEP FOUR amount; minus
 52 (B) the STEP THREE amount.
 53 (d) This SECTION expires January 1, 2005.
 54 SECTION 104. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 4-30-2 apply

1 throughout this SECTION.

2 (b) The commission may adopt temporary rules in the manner provided for the
3 adoption of emergency rules under IC 4-22-2-37.1 to implement the provisions of IC 4-30
4 concerning the offering of keno on the premises of retailers. A temporary rule adopted
5 under this SECTION expires on the earliest of the following:

6 (1) The date another temporary rule is adopted under this SECTION to supersede a
7 previously adopted temporary rule under this SECTION.

8 (2) The date a permanent rule is adopted under IC 4-22-2 to supersede a temporary
9 rule adopted under this SECTION.

10 (3) July 1, 2004.

11 SECTION 105. [EFFECTIVE JULY 1, 2003] Notwithstanding IC 4-30-11-9, the balance in
12 unclaimed prize money of the Indiana state lottery under IC 4-30-11-7 on June 30, 2003, is
13 transferred to the state general fund.

14 SECTION 106. [EFFECTIVE JULY 1, 2002 (RETROACTIVE)] (a) This SECTION applies
15 to the calculation and collection of wagering taxes on the adjusted gross receipts of a
16 riverboat received:

17 (1) on or after the date that the riverboat implemented flexible scheduling under
18 IC 4-33-6-21; and

19 (2) before July 1, 2003.

20 (b) The definitions in IC 4-33-2 apply throughout this SECTION.

21 (c) The general assembly does not acquiesce in any interpretation of IC 4-33-13-1.5 and
22 P.L.292-2002(ss), SECTION 205 that excludes adjusted gross receipts of a riverboat
23 received after June 30, 2002, and before the date that the riverboat implemented flexible
24 scheduling under IC 4-33-6-21 from the determination of which wagering tax rate to apply
25 to adjusted gross receipts of the riverboat received on or after the riverboat implemented
26 flexible scheduling under IC 4-33-6-21.

27 (d) Wagering taxes imposed under IC 4-33-13-1.5 on adjusted gross receipts received on
28 or after the date that the riverboat implemented flexible scheduling under IC 4-33-6-21
29 must be calculated and deposited using a graduated wagering tax rate selected (as stated in
30 IC 4-33-13-1.5) through a calculation that includes "adjusted gross receipts received
31 during the period beginning July 1 of each year and ending June 30 of the following year".

32 (e) All penalties and interest otherwise due from a riverboat that underpaid the amount
33 of wagering tax due after June 30, 2002, and before January 10, 2003, as a result of a
34 failure to include adjusted gross receipts received by the riverboat after June 30, 2002, and
35 before the date that the riverboat implemented flexible scheduling under IC 4-33-6-21 in
36 the determination of which wagering tax rate to apply to adjusted gross receipts received
37 after the riverboat implemented flexible scheduling under IC 4-33-6-21 are waived if the
38 riverboat pays the unpaid balance due before May 1, 2003.

39 SECTION 107. [EFFECTIVE JANUARY 1, 2002 (RETROACTIVE)] (a) As used in this
40 SECTION, "Internal Revenue Code" has the meaning set forth in IC 6-3-1-11, as amended
41 by this act.

42 (b) IC 6-3-1-11, as amended by this act, does not authorize a taxpayer, in the
43 determination under:

44 (1) IC 6-3-1-3.5; or

45 (2) IC 6-5.5-1-2;

46 of adjusted gross income for a taxable year that began before January 1, 2003, to deduct
47 any part of a depreciation allowance allowed in computing the taxpayer's federal adjusted
48 gross income that is attributable to the additional first-year special depreciation allowance
49 (bonus depreciation) for qualified property allowed under Section 168(k) of the Internal
50 Revenue Code for that taxable year.

51 (c) For a taxable year beginning in 2002 or 2003, an individual whose determination
52 under IC 6-3-1-3.5 of adjusted gross income for the taxable year includes the deduction
53 under Section 62(a)(2)(D) of the Internal Revenue Code is treated as having complied with
54 IC 6-3.

1 SECTION 108. [EFFECTIVE UPON PASSAGE] (a) The definitions in IC 6-1.1-20.9 and
2 IC 6-1.1-21 apply throughout this SECTION.

3 (b) For each calendar year beginning after December 31, 1983, and ending before
4 January 1, 2003, the amount of homestead credits:

5 (1) certified by the auditor of each county to the state board of tax commissioners
6 (before the board was abolished) or the department of local government finance;
7 (2) certified by the state board of tax commissioners (before the board was abolished)
8 or the department of local government finance to the department of state revenue;
9 and
10 (3) allocated and distributed from the property tax replacement fund by the
11 department of state revenue to the treasurer of each county;
12 for the year is treated as the amount of homestead credits allowable for the year
13 notwithstanding the requirements of IC 6-1.1-20.9 and IC 6-1-21-5. The state waives any
14 requirement to repay to the state any excess homestead credit replacement distribution
15 that would be required in the absence of this SECTION

16 (c) For each calendar year beginning after December 31, 1983, and ending before
17 January 1, 2003, the amount of the homestead credit granted to each taxpayer in a year
18 that is the basis for the certified amounts described in subsection (b) is treated as the
19 amount of homestead credit allowable for the year notwithstanding the requirements of
20 IC 6-1.1-20.9 and IC 6-1-21-5. A political subdivision may not collect from any taxpayer
21 any amount of delinquent tax liability (including any penalties and interest) that the
22 taxpayer would otherwise be obligated to pay without the relief provided by this
23 SECTION.

24 SECTION 109. [EFFECTIVE JULY 1, 2003] (a) The definitions in IC 6-1.1-1 and
25 IC 6-1.1-18.5 apply throughout this SECTION.

26 (b) As used in this SECTION, "delinquent juvenile commitment obligation" means the
27 costs of committing a juvenile offender to the department of correction that:

28 (1) must be paid by the county to the state under IC 11-10-2-3;
29 (2) were incurred for calendar years before 2004; and
30 (3) have not been paid at least thirty (30) days before the date the department of local
31 government finance is required to certify ad valorem property tax rates to the county
32 under IC 6-1.1-17-16 or another statute for property taxes first due and payable in
33 2004.

34 (c) A county shall increase its ad valorem property tax levy in excess of the limitations
35 established under IC 6-1.1-18.5-3 for property taxes first due and payable in 2004 and 2005
36 to reimburse the state for its delinquent juvenile commitment obligation.

37 (d) The sum of the excess levy imposed under this SECTION in 2004 and the levy
38 imposed under this SECTION in 2005 may not exceed the amount of the county's
39 delinquent juvenile commitment obligations.

40 (e) The full amount of the county's delinquent juvenile commitment obligations must be
41 paid to the state before December 31, 2005. The amount collected under this SECTION
42 must be paid to the state to reduce the county's delinquent juvenile commitment obligation
43 as it is collected.

44 (f) For purposes of computing the ad valorem property tax levy limit imposed on the
45 county under IC 6-1.1-18.5-3, the county's ad valorem property tax levy for a particular
46 year does not include the part of the levy imposed under this subdivision. In addition, a
47 property tax increase permitted under this subdivision may be imposed for only calendar
48 year 2004 and calendar year 2005.

49 (g) Notwithstanding IC 6-1.1-21, the amount of the levy imposed under this SECTION is
50 not eligible for homestead credits or property tax replacement credits or a distribution of
51 money from the property tax replacement fund for homestead credits or property tax
52 replacement credits.

53 (h) A county shall provide the department of local government finance with sufficient
54 information, in the form and in the manner required by the department, for the

department to review and certify the amount of the tax levies and the tax rate imposed to comply with this SECTION.

(i) This SECTION expires December 31, 2005.

SECTION 110. [EFFECTIVE JULY 1, 2003] (a) The definitions in IC 11-8 apply throughout this SECTION.

(b) Notwithstanding IC 11, as amended by this act, the amendments made by this act to IC 11-8-1-5.5 and IC 11-10-11.5-1 do not authorize the placement of an offender in a community transition program until after the notices required under IC 11-10-11.5-2 have been made and at least forty-five (45) days have elapsed after the making of the notice.

SECTION 111. [EFFECTIVE JANUARY 1, 2003 (RETROACTIVE)] IC 6-3-1-3.5, IC 6-3-1-11, and IC 6-5.5-1-2, all as amended by this act, apply only to taxable years beginning after December 31, 2002.

SECTION 112. [EFFECTIVE UPON PASSAGE] (a) The office of Medicaid policy and planning shall adopt emergency rules under IC 4-22-2-37.1(22) to achieve the reductions needed to avoid expenditures exceeding the Medicaid appropriation made by this act in the line item appropriation to the FAMILY AND SOCIAL SERVICES ADMINISTRATION, MEDICAID - CURRENT OBLIGATIONS. To the extent that reductions are made to optional Medicaid services as set forth in 42 U.S.C. 1396 et seq., the reductions shall be accomplished, to the extent possible, on a pro-rata basis with each optional service being reduced by a proportionate amount.

SECTION 113. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established by IC 12-8-6-1.

(b) As used in this SECTION, "optional Medicaid services" means those services that are set forth in 42 U.S.C. 1396 et seq. as optional and that are included in the state Medicaid plan.

(c) Before August 1, 2003, the office shall apply to the United States Department of Health and Human Services for approval to amend the state Medicaid plan to achieve the reductions in optional Medicaid services that are needed to comply with this act.

(d) The office may not implement the amendment to the state Medicaid plan until the office files an affidavit with the governor attesting that the amendment applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than three (3) days after the office is notified that the amendment is approved.

(e) If the office receives approval under this SECTION from the United States Department of Health and Human Services to amend the state Medicaid plan and the governor receives the affidavit filed under subsection (d), the office shall implement the amendment not more than five (5) days after the governor receives the affidavit.

(f) This SECTION expires December 31, 2007.

SECTION 114. [EFFECTIVE JULY 1, 2003] (a) The budget agency shall develop a plan and seek federal approval to qualify services that are provided to assist exceptional learners in accessing or coordinating services, or both, under the Medicaid state plan.

(b) The budget agency and the office of the secretary of family and social services shall establish a method to collect the state share of the costs of services that are:

- (1) reimbursable under the Medicaid program; and
- (2) provided to Medicaid eligible children receiving services in private psychiatric residential treatment facilities;

from the county of residence of the child receiving services.

SECTION 115. [EFFECTIVE JULY 1, 2003] The trustees of Indiana University and Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following projects if for each institution the sum of principal costs of any bond issued, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total authority listed below for that institution:

INDIANA UNIVERSITY- Bloomington Campus
Multidisciplinary Science Building Phase II

31,872,000

| | | |
|----|---|------------|
| 1 | INDIANA UNIVERSITY PURDUE UNIVERSITY INDIANAPOLIS | |
| 2 | Research Institute Building III | 33,333,333 |
| 3 | INDIANA UNIVERSITY PURDUE UNIVERSITY INDIANAPOLIS | |
| 4 | Information Sciences Building | 15,000,000 |
| 5 | PURDUE UNIVERSITY- West Lafayette Campus | |
| 6 | Millennium Engineering Building | 36,000,000 |
| 7 | PURDUE UNIVERSITY- West Lafayette Campus | |
| 8 | Biomedical Engineering Building | 13,000,000 |
| 9 | INDIANA UNIVERSITY-PURDUE | |
| 10 | UNIVERSITY INDIANAPOLIS | |
| 11 | Campus Center | 40,000,000 |
| 12 | The borrowing authority granted by this SECTION for the Indiana University-Purdue | |
| 13 | University Indianapolis Campus Center project is not authorized for fee replacement, but | |
| 14 | supplements, and is in addition to, the \$10,000,000 of fee-replaced bonding authority | |
| 15 | granted in P.L.291-2001, SECTION 46. | |
| 16 | SECTION 116. [EFFECTIVE JULY 1, 2003] The trustees of the University of Southern | |
| 17 | Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals required by | |
| 18 | IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, | |
| 19 | excluding amounts necessary to provide money for debt service reserves, credit | |
| 20 | enhancement, or other costs incidental to the issuance of the bonds, does not exceed the | |
| 21 | total authority listed below for the University of Southern Indiana: | |
| 22 | UNIVERSITY OF SOUTHERN INDIANA | |
| 23 | Renovation of the University Center | 9,750,000 |
| 24 | The project is not eligible for fee replacement. | |
| 25 | SECTION 117. [EFFECTIVE JULY 1, 2003] The trustees of the University of Southern | |
| 26 | Indiana may issue and sell bonds under IC 20-12-6, subject to the approvals required by | |
| 27 | IC 20-12-5.5, for the following project if the sum of principal costs of any bond issued, | |
| 28 | excluding amounts necessary to provide money for debt service reserves, credit | |
| 29 | enhancement, or other costs incidental to the issuance of the bonds, does not exceed the | |
| 30 | total authority listed below for the University of Southern Indiana: | |
| 31 | UNIVERSITY OF SOUTHERN INDIANA | |
| 32 | Library | 29,084,830 |
| 33 | SECTION 118. [EFFECTIVE JULY 1, 2003] The trustees of Indiana University may issue | |
| 34 | and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the | |
| 35 | following project if the sum of principal costs of any bond issued, excluding amounts | |
| 36 | necessary to provide money for debt service reserves, credit enhancement, or other costs | |
| 37 | incidental to the issuance of the bonds, does not exceed the total authority listed below for | |
| 38 | the Indiana University South Bend Campus: | |
| 39 | INDIANA UNIVERSITY-South Bend Campus | |
| 40 | Land Acquisition | 2,000,000 |
| 41 | SECTION 119. [EFFECTIVE JULY 1, 2003] The trustees of Vincennes University may | |
| 42 | issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, | |
| 43 | for the following project if the sum of principal costs of any bond issued, excluding | |
| 44 | amounts necessary to provide money for debt service reserves, credit enhancement, or | |
| 45 | other costs incidental to the issuance of the bonds, does not exceed the total authority listed | |
| 46 | below for the Vincennes University Jasper Campus: | |
| 47 | VINCENNES UNIVERSITY-Jasper Campus | |
| 48 | Jasper Center New Academic Building | 4,320,000 |
| 49 | SECTION 120. [EFFECTIVE JULY 1, 2003] The trustees of Ivy Tech State College may | |
| 50 | issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, | |
| 51 | for the following project if the sum of principal costs of any bond issued, excluding | |
| 52 | amounts necessary to provide money for debt service reserves, credit enhancement, or | |
| 53 | other costs incidental to the issuance of the bonds, does not exceed the total authority listed | |
| 54 | below for the following: | |

| | | |
|---|--|------------|
| 1 | Richmond Building Addition, Phase II | 8,780,000 |
| 2 | Indianapolis/Lawrence Roosevelt Building | |
| 3 | Acquisition | 10,000,000 |
| 4 | Valparaiso New Campus, Phase I | 15,843,000 |
| 5 | Madison A&E | 826,000 |

6 SECTION 121. [EFFECTIVE JULY 1, 2003] The trustees of Purdue University may issue
7 and sell bonds under IC 20-12-8, subject to the approvals required by IC 20-12-5.5, for the
8 purpose of constructing, furnishing, and equipping the Parking Garage No. 1 project at the
9 Calumet Campus, so long as the sum of principal costs of any bond issued, excluding
10 amounts necessary to provide money for debt service reserves, credit enhancement, or
11 other costs incidental to the issuance of the bonds, does not exceed eleven million five
12 hundred thousand dollars (\$11,500,000). The project is not eligible for fee replacement.

13 SECTION 122. [EFFECTIVE JULY 1, 2003] (a) The general assembly finds that the state
14 needs the construction, equipping, renovation, refurbishing, or alteration of not more than
15 one (1) regional health center.

16 (b) The general assembly finds that the state will have a continuing need for use and
17 occupancy of the health center described in subsection (a). The general assembly authorizes
18 the state office building commission to provide the health center described in subsection (a)
19 under IC 4-13.5-1 and IC 4-13.5-4.

20 SECTION 123. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding IC 32-34-1-34, the
21 treasurer of state shall transfer on:

- 22 (1) June 30, 2003;
- 23 (2) June 30, 2004; and
- 24 (3) June 30, 2005;

25 any balance (excluding amounts needed to fund appropriations to the attorney general for
26 personal services and other operating expenses for the unclaimed property program) in the
27 abandoned property fund that exceeds five hundred thousand dollars (\$500,000) to the
28 state general fund.

29 (b) Before July 1, 2005, the treasurer of state may not transfer any amount in the
30 abandoned property fund to the common school fund.

31 SECTION 124. [EFFECTIVE JULY 1, 2003] The budget agency shall make the following
32 transfers from the specified funds to the state general fund in the specified state fiscal
33 years:

- 34 (1) Fifty million dollars (\$50,000,000) from the public depository insurance fund in the
35 state fiscal year beginning July 1, 2003, and ending June 30, 2004.
- 36 (2) Two million dollars (\$2,000,000) from the industrial industries fund in the state
37 fiscal year beginning July 1, 2003, and ending June 30, 2004.
- 38 (3) Two million four hundred thousand dollars (\$2,400,000) from the industrial
39 industries fund in the state fiscal year beginning July 1, 2004, and ending June 30,
40 2005.
- 41 (4) Two million five hundred thousand dollars (\$2,500,000) from the administrative
42 services fund in the state fiscal year beginning July 1, 2004, and ending June 30, 2005.

43 SECTION 125. [EFFECTIVE UPON PASSAGE] The provisions of this act are severable
44 in the manner provided by IC 1-1-1-8(b).

45 SECTION 126. An emergency is declared for this act.
(Reference is to HB 1001 as introduced.)

and when so amended that said bill do pass.

Representative Crawford